

Exhibit 3

(Part 1)

2022

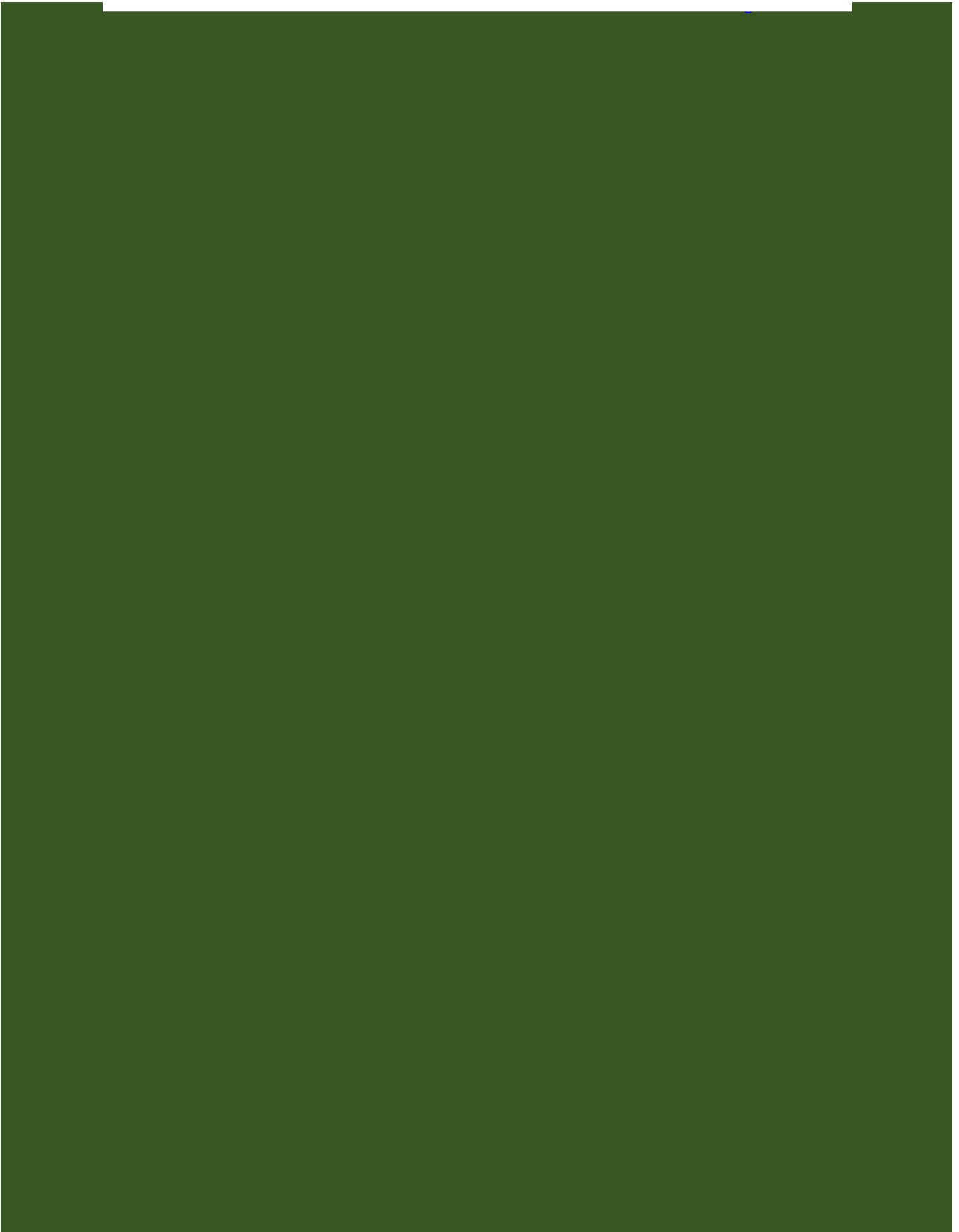
Attorneys' Fees
Hourly Rates

Employment Law



Yearbook

Published by the Texas Employment Lawyers Association



2022

Attorneys' Fees Hourly Rates

This collection is drawn from court rulings, jury verdicts, arbitrations, and actual rates billed. Unlike summaries of anonymous surveys, it names the lawyers and cites sources. To compare quantity of experience, it is grouped by ten-year classes—like a yearbook groups classes from seniors to freshmen. It is organized by geographic regions corresponding with the four federal districts in Texas. It accounts for inflation to the end of 2021 via the U.S. Bureau of Labor Statistics' data for legal services. The information is limited to **employment law** work in Texas.

Yearbook

Demographics



106,591*

Texas lawyers

Most are in the Houston and Dallas metropolitan statistical areas—32.87% in the Houston–The Woodlands–Sugar Land MSA and 31.71% in the Dallas–Fort Worth–Arlington MSA.

3,145

**Members of the SBOT
Labor & Employment Law Section**

673

Board-certified L&E Specialists

*** Sources:**

State Bar of Texas Membership: Attorney Statistical Profile (2020–21) and
State Bar of Texas Attorney Population Density by MSA: 2020–2021.

“Civil rights laws don’t enforce themselves.”¹

By design, they rely on private attorneys general to prosecute violations. Fee shifting is a basic part of making federal and state employment laws work.² This collection is intended to show “prevailing market rates in the relevant community” within the meaning of *Blum v. Stenson*, 465 U.S. 886 (1984). The focus here is Texas.

“Reasonableness is a range, not a point.”³

The idea is to light the edges, to mark the averages and medians. Collecting employment law rates here reveals the “customary fee for similar work in the community” and “awards in similar cases.”⁴ The idea is to help gauge reasonableness.

¹ Samuel R. Bagenstos, *Mandatory Pro Bono and Private Attorneys General*, 101 NW. U. L. REV. COLLOQUY 182, 183 (2007).

² See *id.* at 187 (“Because the private attorney general system is essential to civil rights enforcement, and fee shifting is the engine that drives the system, judicial rulings regarding the availability of statutory attorneys’ fees are likely to have extremely significant effects on the vindication of civil rights in practice.”).

The legislative history of the Civil Rights Attorney’s Fees Awards Act of 1976 has a robust discussion of the private attorneys’ general concept, and a compilation of that history is here: <https://ufdc.ufl.edu/AA00026686/00001/1>.

³ *United States v. Cunningham*, 429 F.3d 673, 679 (7th Cir. 2005) (Judge Posner addressing sentencing ranges).

⁴ See *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714, 718-19 (5th Cir. 1974) (listing guidelines which include “[t]he customary fee for similar work in the community” and “[a]wards in similar cases”); *Arthur Andersen & Co. v. Perry Equip. Corp.*, 945 S.W.2d 812, 818 (Tex. 1997) (“Factors that a factfinder should consider when determining the reasonableness of a fee include . . . the fee customarily charged in the locality for similar legal services”) (omission added).

Inflation

“Legal services priced at \$200 in 1990 → \$610.93 in 2021”

“According to the U.S. Bureau of Labor Statistics, prices for legal services were **205.46%** higher in **2021** versus **1990** (a \$410.93 difference in value).”

“Between 1990 and 2021, legal services experienced an average inflation rate of 3.67% per year. This rate of change indicates significant inflation. In other words, legal services costing \$200 in the year 1990 would cost \$610.93 in 2021 for an equivalent purchase. Compared to the overall inflation rate of 2.38% annually during this same period, inflation for legal services was higher.”

Source: <https://www.officialdata.org/Legal-services/price-inflation/1990-to-2021?amount=200>

Inflation

Alone it accounts for equal buying power for the *same* quality of legal service over time. But not for *improved* quality—through ongoing training, continuing legal education, and experience. Imagine two lawyers who billed at \$300/hr. in the year 2000:

1

One has continued to practice since 2000—improving her skills as a lawyer over that time.



+ skills improved over time

\$???./hr.

3

Adjusting *only* for inflation will not account for the improved legal skills one lawyer now has compared to the other.

\$300.00/hr.

Year 2000

Inflation 97.73%*

Year 2021

\$593.19/hr.



no new legal skills

\$593.19/hr.

2

The second stops practicing in 2000, then resumes in 2021.

* Source: <https://www.officialdata.org/Legal-services/price-inflation/2000-to-2021?amount=300>

“Buying power of \$100.00 since 1986

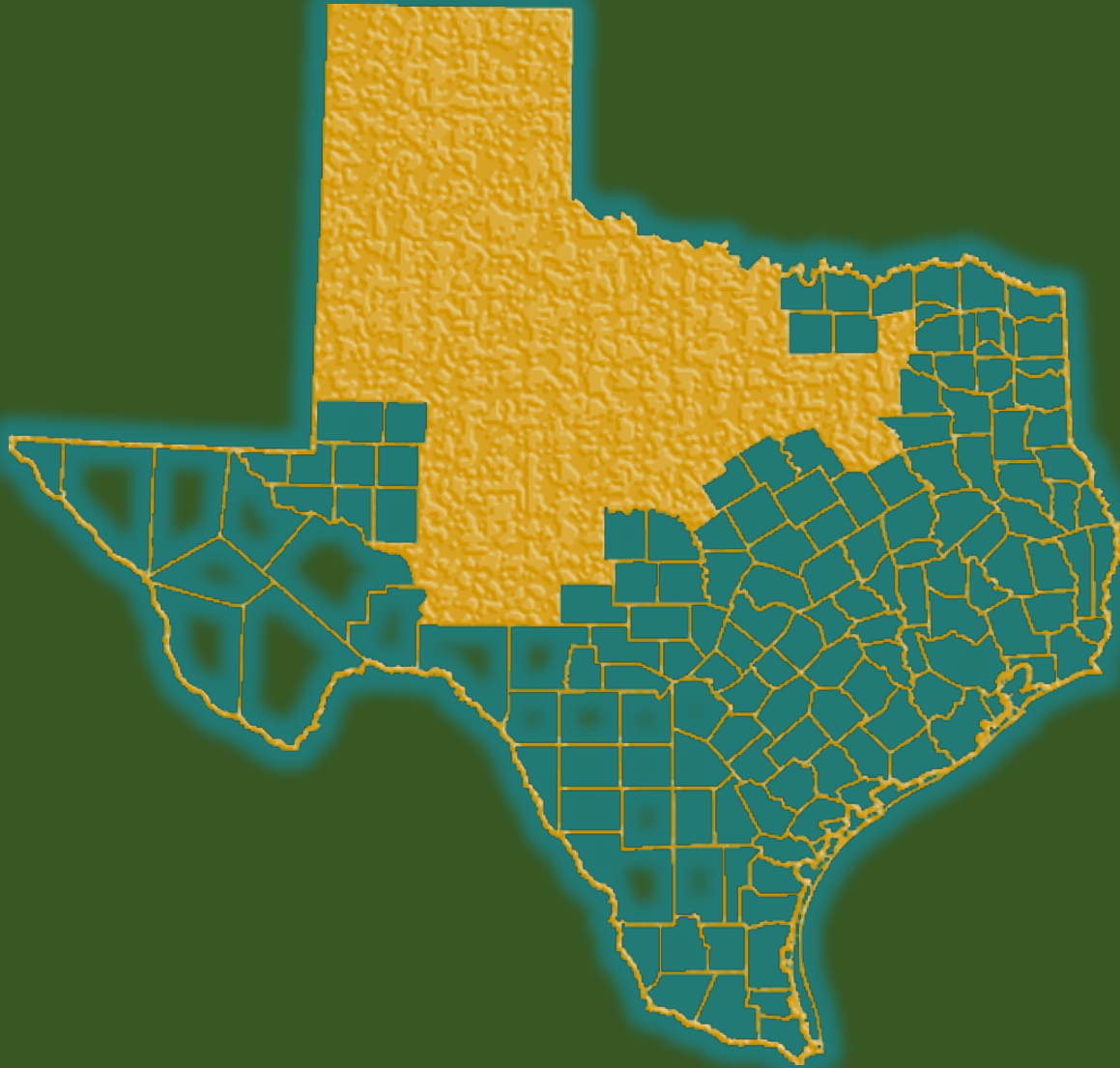
Below are calculations of equivalent buying power for legal services, over time, for \$100 beginning in 1986. Each of the amounts below is equivalent in terms of what it could buy at the time.”¹

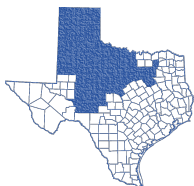
Year	USD Value	Inflation Rate		Year	USD Value	Inflation Rate
1986	\$100.00	-		2004	\$232.26	4.76%
1987	\$103.44	3.44%		2005	\$241.75	4.09%
1988	\$107.66	4.08%		2006	\$250.01	3.41%
1989	\$114.12	5.99%		2007	\$260.27	4.11%
1990	\$122.56	7.40%		2008	\$270.73	4.02%
1991	\$129.58	5.72%		2009	\$278.15	2.74%
1992	\$136.22	5.12%		2010	\$288.13	3.59%
1993	\$141.95	4.21%		2011	\$297.43	3.23%
1994	\$146.76	3.39%		2012	\$303.46	2.03%
1995	\$151.63	3.32%		2013	\$311.82	2.75%
1996	\$157.08	3.60%		2014	\$318.49	2.14%
1997	\$163.82	4.29%		2015	\$323.56	1.59%
1998	\$171.67	4.79%		2016	\$334.48	3.38%
1999	\$179.98	4.84%		2017	\$346.39	3.56%
2000	\$189.34	5.20%		2018	\$361.24	4.29%
2001	\$199.47	5.35%		2019	\$364.75	0.97%
2002	\$211.05	5.81%		2020	\$368.72	1.09%
2003	\$221.71	5.05%		2021	\$374.38	1.53%

Note: All inflation rates displayed in this booklet are rounded to the nearest hundredth. But all calculations in this book are made without such rounding.

¹ <https://www.officialdata.org/Legal-services/price-inflation/1986-to-2021?amount=100>

North Texas



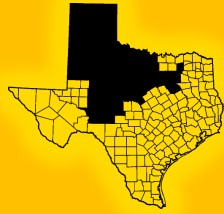


NDTX[†] summary of rates listed: high to low

\$1,326.55 to \$246.25

Rate	Name / JD Year	Rate	Name / JD Year
\$1,326.55*	Shane M. Tucker (JD 1999)	\$535.00*	Michael A. McCabe (JD 1998)
\$1,086.42*	John E. Fitzsimmons (JD 1995)	\$535.00*	David L. Wiley (JD 1996)
\$1,055.96*	Cathryn Le Regulski (JD 1999)	\$535.00*	Amy E. Gibson (JD 1995)
\$1,015.35*	Rogge Dunn (JD 1983)	\$532.25*	Arrissa K. Meyer (JD 2010)
\$974.51*	Charla Aldous (JD 1985)	\$525.00*	Douglas B. Welmaker (JD 1993)
\$880.91*	Marc D. Katz (JD 1994)	\$519.74*	Brent Walker (JD 2004)
\$845.08*	Hal K. Gillespie (JD 1972)	\$513.20*	Jason Smith (JD 1992)
\$821.12*	Crystal Jamison Woods (JD 2009)	\$507.98*	Howard L. Steele, Jr. (JD 1996)
\$818.17*	Joel M. Fineberg (JD 1991)	\$505.64*	Peter A. Milianti (JD 1997)
\$809.95*	Russell W. Budd (JD 1979)	\$497.80*	Breegan O'Connor (JD 2017)
\$811.49*	Norlynn B. Price (JD 1984)	\$483.00*	Kimberly Williams (JD 2005)
\$801.90*	Matthew R. Scott (JD 1995)	\$481.30*	Jordan Campbell (JD 2013)
\$795.46*	Allison A. Reddoch (JD 2011)	\$462.83*	Brandon Shelby (JD 2004)
\$795.46*	Isabel A. Crosby (JD 2005)	\$462.83*	David Langenfeld (JD 1992)
\$759.53*	Micala Bernardo (JD 2007)	\$462.63*	James D. Sanford (JD 2005)
\$759.53*	Michael W. Massiatte (JD 2000)	\$461.88*	Ashley Tremain (JD 2008)
\$755.24*	Stuart L. Cochran (JD 2000)	\$461.88*	Carmen Artaza (JD 2006)
\$752.10*	Brian P. Sanford (JD 1986)	\$461.88*	Christine Hopkins (JD 2005)
\$733.14*	Danielle Alexis Matthews (JD 2000)	\$456.91*	John M. Barcus (JD 2002)
\$689.18*	Todd Mobley (JD 2010)	\$444.13*	M. Jeanette Fedele (JD 2003)
\$684.00*	Britney J. P. Prince (JD 2015)	\$436.22*	Gavin S. Martinson (JD 2005)
\$653.75*	Karen C. Denney (JD 2002)	\$428.12*	Monica Velazquez (JD 2002)
\$651.76*	Betsey A. Boutelle (JD 2014)	\$414.55*	David Norris (JD 2011)
\$649.67*	Brian Lauten (JD 2001)	\$411.42*	Corinna Chandler (JD 2009)
\$629.37*	Richard E. Norman (JD 1993)	\$411.42*	Todd Goldberg (JD 2009)
\$621.21*	John Roger Herring (JD 2008)	\$411.42*	Jamie J. McKey (JD 2006)
\$600.00*	Christine Neill (JD 1996)	\$410.56*	Jay Forester (JD 2013)
\$600.00*	Jane Legler (JD 1992)	\$359.24*	Jeff T. Leslie (JD 2015)
\$595.00*	Barry S. Hersh (JD 1998)	\$358.69*	Barrett Robin (JD 2015)
\$594.32*	J. Derek Braziel (JD 1995)	\$330.19*	Megan Dixon (JD 2012)
\$577.96*	Kevin M. Duddleston (JD 1994)	\$330.19*	Melinda Arbuckle (JD 2011)
\$572.75*	Robert E. McKnight, Jr. (JD 1992)	\$330.00*	Jennifer McCoy (JD 2016)
\$570.11*	Mike Gaddis (JD 2009)	\$319.00*	Ryan Toomey (JD 2011)
\$558.35*	Trey Branham (JD 1999)	\$289.27*	Benjamin Michael (JD 2013)
\$558.35*	Jeffrey Goldbarb (JD 1994)	\$289.27*	Michael L. Parsons (JD 2011)
\$555.16*	Joseph H. Gillespie (JD 2002)	\$270.20*	Matthew F. Amos (JD 2015)
\$554.05*	Robert G. "Bobby" Lee (JD 1993)	\$259.09*	Jennifer Birdsall (JD 2017)
\$550.00*	Kyla Cole (JD 2001)	\$246.25*	Hannah P. Parks (JD 2014)

[†] Courts note the relevant community for fees is district-wide—not by city or division. *See, e.g., Lewallen v. City of Beaumont*, 394 Fed. Appx. 38, 46 (5th Cir. 2010); *Treadway v. Otero*, No. 2:19-CV-244 [Doc. 157] at p. 9 (S.D. Tex. Oct. 6, 2020) (citing cases and concluding: “When it comes to parsing between divisions, it appears that it is the district, rather than the division, that should govern the decision.”).



*Classes of the 1970s:
The Rates*

Hal K. Gillespie (JD 1972)

\$845.08*

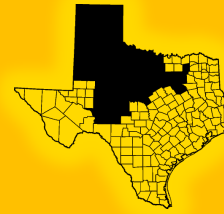


Russell W. Budd (JD 1979)



\$809.95*

Classes of the 1970s: The Work



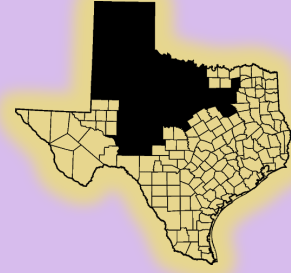
* **Hal K. Gillespie (class of '72)**: Mr. Gillespie works in Dallas. His online biography states that he “represents individual clients, corporate executives and unions in arbitration, mediation, civil trials, and appeals involving discharge, discrimination, sexual harassment, breach of contract, and employment matters.” On March 2, 2012, **Judge Ken Molberg** (now Justice Molberg of the Dallas Court of Appeals) ruled \$685.00 per hour was a “reasonable” rate for Mr. Gillespie in a Dallas employment retaliation case. *See Rush Truck Centers of Texas, L.P. v. Fitzgerald*, No. DC-09-15958-D (95th District Court for Dallas County, Texas) (“Order on Attorney Fees”) at p. 5 (95th District Court for Dallas County, Texas) (“a reasonable fee for the necessary services of Fitzgerald’s attorneys, as established by the evidence, should be computed in the following manner: . . . *Hal Gillespie*: \$127,410 (186 hours at the rate of \$685 per hour) . . .”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 23.37% higher in 2021 versus 2012 (a \$160.08 difference).¹ So, adjusted *only* for such inflation from the year of Judge Molberg’s ruling (2012) to the end of 2021, that \$685.00 hourly rate for Mr. Gillespie is \$845.08.

* **Russell W. Budd (class of '79)**: Mr. Budd works in Dallas. On May 8, 2015, **Judge Jane Boyle** ruled Mr. Budd’s requested hourly rate of \$700.00 was reasonable in a Dallas FLSA case, *Olibas v. Native Oilfield Servs., LLC*, No. 3:11-cv-2388-B (Doc. 302). On December 8, 2016, **Judge Jane Boyle** again ruled \$700.00 per hour was “reasonable” for Mr. Budd’s work in *Aguayo v. Bassem Odeh, Inc.*, No. 3:13-cv-2951-B (Doc. 146) (N.D. Tex. Dallas)—another Dallas FLSA case. According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (a \$109.95 difference).² Adjusted *only* for such inflation from the date of Judge Boyle’s 2015 award to the end of 2021, that \$700.00 hourly rate for Mr. Budd is \$809.95.

¹ <https://www.officialdata.org/Legal-services/price-inflation/2012-to-2021?amount=685>

² <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=700>

Classes of the 1980s



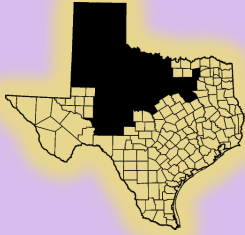
4 lawyers listed

\$888.36

average rate

\$893.00

median rate



Classes of the 1980s: The Rates



\$1,015.35*

Rogge Dunn (JD 1983)

Charla Aldous (JD 1985)



\$974.51*

\$811.49*



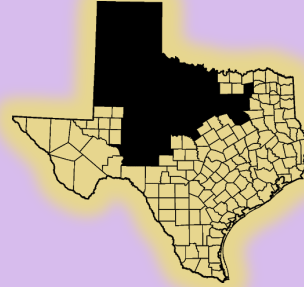
Norlynn B. Price
(JD 1984)



\$752.10*

Brian P. Sanford (JD 1986)

Classes of the 1980s: The Work



* **Rogge Dunn (class of '83):** Mr. Dunn works in Dallas. His online biography notes that he handles employment matters and is a board-certified specialist in labor and employment law. On September 11, 2020, he testified that he regularly charges \$1,000.00 per hour for his work. *See* Affidavit of Rogge Dunn in Support of Motion for Default Judgment and Proving Up Attorneys' Fees at p. 4, ¶ 10 in *Rogge Dunn Group, PC v. Gross*, No. CC-20-01746-D (County Court at Law No. 4 for Dallas County, Texas) ("The hourly fee for such work that I regularly charge is \$1,000.00 per hour, which in my opinion is reasonable for such work done in Dallas County, Texas."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020 (a \$15.35 difference).¹ Adjusted *only* for such inflation from the year of this billing rate (2020) to the end of 2021, that \$1,000.00 hourly rate for Mr. Dunne is \$1,015.35.

* **Charla Aldous (class of '85):** Ms. Aldous works in Dallas. On July 27, 2010, Judge Jane Boyle awarded Ms. Aldous a rate of \$750.00 per hour in a Dallas employment retaliation case. *See Nassar v. University of Texas Southwestern Medical Center*, No. 3:09-CV-1337 (Doc. 160) at pp. 8–10, PageID 2245–47 (N.D. Tex. Dallas) ("Defendant argues that Dr. Nassar has not met his burden and that the rates requested (\$400 per hour for Mr. Walker, \$500 per hour for Mr. Lauten, \$500 per hour for Ms. Lauten, and \$750 per hour for Ms. Aldous) are excessive. . . . In light of the degree of success obtained and the evidence submitted, the Court finds that the lodestar may be calculated using the requested rates, with one exception [applicable to Ms. Lauten]."), *reversed on other grounds*. According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 29.93% higher in 2021 versus 2010 (a \$224.51 difference).² Adjusted *only* for such inflation from the year of this award to the end of 2021, that \$750.00 hourly rate for Ms. Aldous is \$974.51.

¹ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=1000>

² <https://www.officialdata.org/Legal-services/price-inflation/2010-to-2021?amount=750>

*** Norlynn B. Price (class of '84):** Ms. Price previously worked in Dallas. In 2016, in a Dallas FLSA case, she billed at \$725.00 per hour. *See* Declaration of Danielle Alexis Matthews in *Areizaga v. ADW Corp.*, No. 3:14-cv-2899 (Docs. 94-1 & 94-2) (N.D. Tex. Dallas). *See generally* Brief in Support of ADW Corporation's Motion to Dismiss Plaintiff's Original Complaint (Doc. 7) (discussing nature of the case). Attached to Ms. Matthews's declaration are law firm billing records including an invoice dated February 10, 2016 (Doc. 94-2 at p. 6, PageID 1057), which lists Ms. Price's mentioned billing rate. According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 11.93% higher in 2021 versus 2016 (a \$86.49 difference).³ Adjusted *only* for such inflation from the year of this billing rate (2016) to the end of 2021, that \$725 hourly rate for Ms. Price is \$811.49.

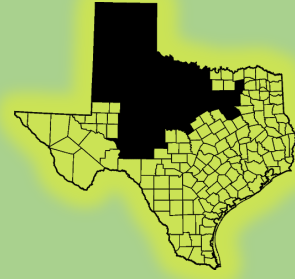
*** Brian P. Sanford (class of '86):** Mr. Sanford works in Dallas and specializes in employment law. On December 28, 2015, **Judge Barbara M. G. Lynn** awarded \$650.00 per hour for Mr. Sanford's time prosecuting a Dallas employment retaliation case—based, in part, on the recommendation of **Magistrate Judge David L. Horan**. *See Kostić v. Texas A&M Univ.—Commerce*, No. 3:10-cv-02265-M (Doc. 282) (N.D. Tex. Dallas) (Order Accepting Findings and Recommendation of the United States Magistrate Judge); *id.* (Doc. 281) at pp. 6 & 10, PageID 8215 & 8219 (“Findings, Conclusions, and Recommendation of the United States Magistrate Judge”) (“Plaintiff seeks \$420,732.00 for work done by his lead counsel, Brian P. Sanford, for 637.28 hours at an hourly billing rate of \$650.00 (\$414,232.00) for work done prior to the filing of the original motion for fees and 10 hours at an hourly billing rate of \$650.00 (\$6,500.00) for work done after the original motion was filed. . . . Defendant does not challenge the hourly rates charged by Plaintiff's attorneys, the costs of court, or postjudgment interest request.”). On November 15, 2018, **Judge Mark Greenberg** ruled in a bench trial on fees that Mr. Sanford's requested rate of \$725.00 per hour was reasonable for work he did in *Carpenter v. Southwest Housing Dev. Co., Inc.*, Cause No. CC-08-2072-E (Dallas County Court at Law No. 5) (read into record at trial on fees)—a Dallas unlawful employment practices case involving refusal to pay earned compensation. Judge Greenberg then applied a 1.5 multiplier to fees. On May 30, 2017, **Judge Ken Molberg** (now Justice Molberg of the Dallas Court of Appeals) awarded Mr. Sanford \$685.00 per hour for his work in trying *Clark v. Everlight Americas, Inc.*, No. DC-15-05538 (95th District Court for Dallas County, Texas)—a Dallas employment discrimination and retaliation case. According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (the year of the

³ <https://www.officialdata.org/Legal-services/price-inflation/2016-to-2021?amount=725>

Judge Lynn award)—a \$102.10 difference.⁴ Adjusted *only* for such inflation from the year of this award to the end of 2021, that \$650.00 hourly rate for Mr. Sanford is \$752.10.

⁴ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=650>

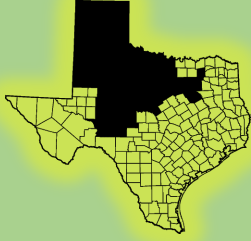
Classes of the 1990s



24 lawyers listed

\$663.74
average rate

\$575.36
median rate



Classes of the 1990s: The Rates



\$1,326.55*

Shane M.
Tucker
(JD 1999)



\$1,086.42*

John E.
Fitzsimmons
(JD 1995)



\$1,055.96*

Cathryn Le
Regulski
(JD 1999)



\$880.91*

Marc D.
Katz
(JD 1994)



\$818.17*

Joel M.
Fineberg
(JD 1991)



\$801.90*

Matthew R.
Scott
(JD 1995)



\$629.37*

Richard E.
Norman
(JD 1993)



\$600.00*

Christine
Neill
(JD 1996)



\$600.00*

Jane
Legler
(JD 1992)



\$595.00*

Barry S.
Hersh
(JD 1998)



\$594.32*

J. Derek
Braziel
(JD 1995)



\$577.96*

Kevin M.
Duddleston
(JD 1994)



\$572.75*

Robert E.
McKnight, Jr.
(JD 1992)



\$558.35*

Trey
Branham
(JD 1999)



\$558.35*

Jeffrey
Goldbarb
(JD 1994)



\$554.05*

Robert G.
"Bobby" Lee
(JD 1993)



\$535.00*

Michael A.
McCabe
(JD 1998)



\$535.00*

David L.
Wiley
(JD 1996)



\$535.00*

Amy E.
Gibson
(JD 1995)



\$525.00*

Douglas B.
Welmaker
(JD 1993)



\$513.20*

Jason
Smith
(JD 1992)



\$507.98*

Howard L.
Steele, Jr.
(JD 1996)



\$505.64*

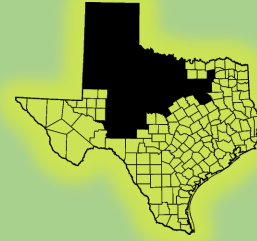
Peter A.
Milianti
(JD 1997)



\$462.83*

David
Langenfeld
(JD 1992)

Classes of the 1990s: The Work



* **Shane M. Tucker (class of '99):** Mr. Tucker works in Dallas. His online biography states that he “advises employers, executives, and management teams on the tax and securities law implications of compensatory arrangements . . . also advises clients on the design and administration of retirement plans, welfare plans, and payroll practices.” In 2018, his law firm sought fees at the rate of \$1,280.00 per hour for this sort of work in a Dallas bankruptcy case: “Telephone conference with David Meyer regarding separation and employment agreements (.5); review employment agreements (1.0); review and revise consulting and separation agreement (3.3) . . . Review and revise separation and consulting agreements.” *See In re: Taco Bueno Restaurants, Inc.*, No. 18-33678 (Doc. 308) at pp. 100–01 (Bankr. N.D. Tex. Dallas Feb. 14, 2019) (listing rate as “\$1280.00”). On March 28, 2019, **Judge Stacey G. C. Jernigan** approved the fee request. *See id.* (Doc. 338). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 3.64% higher in 2021 versus 2018 (a \$46.55 difference).¹ Adjusted *only* for such inflation from the year of this rate billed (2018) to the end of 2021, that \$1,280.00 hourly rate for Mr. Tucker is \$1,326.55.

* **John E. Fitzsimmons (class of '95):** Mr. Fitzsimmons’s online biography states that he “concentrates in defense of employers in wrongful termination, employment discrimination, harassment, retaliation and other employment-related litigation in state and federal courts.” He is based in California. But in 2020, Mr. Fitzsimmons billed the rate of \$1,070.00 for employment law work done in a Dallas bankruptcy case. *See In re: Trivascular Sales LLC*, No. 20-31840 (Doc. 436-4) at p. 2 and (Doc. 436-7) at pp. 140–43, 172 (Bankr. N.D. Tex. Dallas Oct. 31, 2020) (Exhibit D [Summary of Hourly Fees by Professionals and Paraprofessionals] and Exhibit G [Invoices for the Compensation Period] attached to First and Final Application of DLA Piper LLP (US) for Allowance of Compensation for Services Rendered and Reimbursement of Expenses Incurred as Counsel to the Debtors for (I) the Period from July 5, 2020 through October 1, 2020; and (II) the Post-Effective Date Period) (for work such as “Strategize regarding employee complaint, departing HR employee, and potential internal

¹ <https://www.officialdata.org/Legal-services/price-inflation/2018-to-2021?amount=1280>

investigation; exchange correspondence with Susan Hanstad regarding same; review anonymous complaint and outline questions for more specific information; review IM communications with departing HR employee and strategize regarding same; review employee handbook regarding relevant policies.”). On December 3, 2020, **Judge Stacey G. C. Jernigan** approved the fee request with a Trustee stipulated reduction. *See id.* (Docs. 454 & 458). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020 (a \$16.42 difference).² Adjusted *only* for such inflation from the year of this rate billed (2020) and awarded to the end of 2021, that \$1,070.00 hourly rate for Mr. Fitzsimmons is \$1,086.42.

* **Cathryn Le Regulski (class of '99)**: Ms. Regulski’s online biography states that her “practice has a particular emphasis on handling complex employee issues resulting from mergers and acquisitions (both buy-side and sell-side), financings, spinoffs and divestitures, and public offerings.”) She is currently based in Washington D.C. In 2020, when she was based in Virginia, she billed the rate of \$1,040.00 for employment work done in a Dallas bankruptcy case. *See In re: Trivascular Sales LLC*, No. 20-31840 (Doc. 436-4) at p. 2 and (Doc. 436-7) at pp. 72–73, 121 (N.D. Tex. Bankruptcy Oct. 31, 2020) (Exhibit D [Summary of Hourly Fees by Professionals and Paraprofessionals] and Exhibit G [Invoices for the Compensation Period] attached to First and Final Application of DLA Piper LLP (US) for Allowance of Compensation for Services Rendered and Reimbursement of Expenses Incurred as Counsel to the Debtors for (I) the Period from July 5, 2020 through October 1, 2020; and (II) the Post-Effective Date Period) (for work such as “Email correspondence with Reyna Fernandez regarding leave issues” and “Teleconference with Reyna Fernandez and Steffanie Cook regarding leave and job protection” and “Review and analyze noncompete agreement for Kevin Cofran and prior communications regarding same (0.2); teleconference with Steffanie Cook regarding cease and desist letters (0.2); attention to drafting of cease and desist letters (0.2)”), fee request approved with Trustee stipulated reduction in (Docs. 454 & 458). On December 3, 2020, **Judge Stacey G. C. Jernigan** approved the fee request with a Trustee stipulated reduction. *See id.* (Docs. 454 & 458). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020 (a \$15.96 difference).³ Adjusted *only* for such inflation from the year this rate was billed and awarded (2020) to the end of 2021, that \$1,040.00 hourly rate for Ms. Regulski is \$1,055.96.

² <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=1070>

³ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=1040>

* **Marc D. Katz (class of '94):** Mr. Katz works in Dallas and his online biography says he handles “all types of employment disputes.” He billed for work on a motion to dismiss in an alleged theft of trade secrets case in Dallas involving former employees of a company, in *Medoc Health Servs., LLC v. Nguyen*, No. DC-18-0822 (14th District Court for Dallas County, Texas). An invoice dated March 23, 2018, lists his rate as \$850.00 per hour. *See* Exhibit C attached to Plaintiff’s Motion for Attorneys’ Fees, filed on November 20, 2020, at p. 55. According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 3.64% higher in 2021 versus 2018 (a \$30.91 difference).⁴ Adjusted *only* for such inflation from the year of this rate billed (2018) to the end of 2021, that \$850.00 hourly rate for Mr. Katz is \$880.91.

* **Joel M. Fineberg (class of '91):** Mr. Fineberg works in Dallas. On August 4, 2011, **Judge Royal Furgeson** determined that the rate of \$650.00 per hour was a reasonable one for work Mr. Fineberg did in a Dallas FLSA case. *See Spence v. Irving Holdings, Inc.*, No. 3:10-cv-142-F (Doc. 201) at p. 4, PageID 2414 (N.D. Tex. Dallas) (“Based on documentation provided by the parties, the number of hours worked by Plaintiffs’ counsel and personnel, which is not disputed, amounts to over 2,250 hours, including 500 hours at a \$650/hour rate by Joel Fineberg; The Court finds these rates to be reasonable and consistent with hourly rates charged by comparable attorneys in the community for similar work.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 25.87% higher in 2021 versus 2011 (a \$168.17 difference).⁵ Adjusted *only* for such inflation from the year of this rate awarded (2011) to the end of 2021, that \$650.00 hourly rate for Mr. Fineberg is \$818.17.

* **Matthew R. Scott (class of '95):** Mr. Scott works in Dallas and his online biography notes he “has extensive experience trying employment cases to judges and juries” and is a board-certified labor and employment law specialist. On December 4, 2013, in an employment discrimination case, Mr. Scott testified that his standard billing rate was \$650.00 per hour. *See* Declaration of Matthew R. Scott in *Ratra v. Dean Foods Co.*, No. 3:12-cv-1854 (Doc. 85-1) at p. 3 ¶ 25, PageID 2170 (N.D. Tex. Dallas) (“my standard hourly billing rate today at KLG is \$650”). On January 30, 2015, in an employment discrimination case, Mr. Scott also testified that his standard billing rate was \$650.00 per hour. *See* Declaration of Matthew R. Scott in *Patton v. ADESA Texas, Inc.*, No. 3:14-cv-3692 (Doc. 30-1) at p. 2 ¶ 22, PageID 1108 (N.D. Tex. Dallas) (“My standard hourly billing rate at KLG is \$650, and that has been my billing rate since June 2012”). On January 16,

⁴ <https://www.officialdata.org/Legal-services/price-inflation/2018-to-2021?amount=850>

⁵ <https://www.officialdata.org/Legal-services/price-inflation/2011-to-2021?amount=650>

2014, Judge Phyllis Lister Brown ruled that \$600.00 per hour was a reasonable rate for Mr. Scott's work in a disability discrimination in employment case. *See Green v. Dallas County Schools*, No. DC-12-09857 (Order of January 16, 2014) at p. 1 (162d District Court for Dallas County, Texas) ("The Court approves and awards Plaintiff reasonable attorney's fees of \$337,750.00, which represents 404.9 hours of Matthew R. Scott's time at a reasonable hourly rate of \$600 per hour, . . ."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 23.37% higher in 2021 versus 2012—the year Mr. Matthews testified that his standard hourly billing rate in 2012 was \$650 while at former Judge Joe Kendall's law firm (a \$151.90 difference).⁶ Adjusted *only* for such inflation from 2012 to the end of 2021, that \$650.00 hourly rate for Mr. Scott is \$801.90.

* **Richard E. Norman (class of '93)**: Mr. Norman works in Houston. On August 4, 2011, **Judge Royal Furgeson** determined the rate of \$500.00 per hour was a reasonable one for work Mr. Norman did in a Dallas FLSA case. *See Spence v. Irving Holdings, Inc.*, No. 3:10-cv-142-F (Doc. 201) at p. 4, PageID 2414 (N.D. Tex. Dallas) ("Based on documentation provided by the parties, the number of hours worked by Plaintiffs' counsel and personnel, which is not disputed, amounts to over 2,250 hours, including . . . ; 284.1 hours at a \$500/hour rate by Richard Norman. . . . The Court finds these rates to be reasonable and consistent with hourly rates charged by comparable attorneys in the community for similar work."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 25.87% higher in 2021 versus 2011—the year Judge Furgeson determined that \$500 rate was reasonable (a \$129.37 difference).⁷ Adjusted *only* for such inflation from the year of this rate awarded (2011) to the end of 2021, that \$500.00 hourly rate for Mr. Norman is \$629.37.

* **Christine Neill (class of '96)**: Ms. Neill works in Dallas. Her online biography states that she "limits her practice to representing and advising employee side clients in matters including unlawful termination." On April 20, 2021, **former Magistrate Judge Jeff Kaplan** served as arbitrator and awarded \$600 for Ms. Neill's work prevailing in a Dallas age discrimination in employment case. *See Golden v. Sunridge Mgmt. Group, Inc.*, Cause No. DC-19-09796 (95th Judicial District Court for Dallas County, Texas) (Motion to Confirm Arbitration Award and Brief in Support filed June 14, 2021) (Exhibit B: JAMS Arbitration Final Award, JAMS Arbitration No. 1310024814 at p. 21: "the arbitrator determines that \$600.00 is a reasonable hourly rate for Legler and Neill and \$550.00

⁶ <https://www.officialdata.org/Legal-services/price-inflation/2012-to-2021?amount=650>

⁷ <https://www.officialdata.org/Legal-services/price-inflation/2011-to-2021?amount=500>

is a reasonable hourly rate for Cole.”). On July 22, 2021, **Judge Monica Purdy** confirmed the arbitration award. *See id.* (Order Confirming Arbitration Award).

* **Jane Legler (class of '92)**: Ms. Legler works in Dallas. Her online biography states that she “has extensive experience exclusively representing employees in employment related disputes.” On April 20, 2021, **former Magistrate Judge Jeff Kaplan** served as arbitrator and awarded \$600 for Ms. Legler’s work prevailing in a Dallas age discrimination in employment case. *See Golden v. Sunridge Mgmt. Group, Inc.*, Cause No. DC-19-09796 (95th Judicial District Court for Dallas County, Texas) (Motion to Confirm Arbitration Award and Brief in Support filed June 14, 2021) (Exhibit B: JAMS Arbitration Final Award, JAMS Arbitration No. 1310024814 at p. 21: “the arbitrator determines that \$600.00 is a reasonable hourly rate for Legler and Neill and \$550.00 is a reasonable hourly rate for Cole.”). On July 22, 2021, **Judge Monica Purdy** confirmed the arbitration award. *See id.* (Order Confirming Arbitration Award).

* **Barry S. Hersh (class of '98)**: Mr. Hersh works in Dallas. His online biography states that he “dedicates 100 percent of his practice to representing employees and small businesses in employment law matters.” On September 7, 2021, **Judge David C. Godbey** granted \$595.00 per hour for Mr. Hersh’s work in a Dallas FLSA case. *See Boatright v. Grey*, No. 21-cv-00835-N (Doc. 18) at p. 9, PageID 180 (N.D. Tex. Dallas) (“shall have and recover from such Defendant reasonable attorneys’ fees . . . attorney time at \$595 per hour; . . .”). On December 28, 2015, **Judge Barbara M. G. Lynn** awarded \$450.00 per hour for Mr. Hersh’s time helping select a jury in a Dallas employment retaliation case—based, in part, on the recommendation of **Magistrate Judge David L. Horan**. *See Kostić v. Texas A&M Univ.–Commerce*, No. 3:10-cv-02265-M (Doc. 282) (N.D. Tex. Dallas) (Order Accepting Findings and Recommendation of the United States Magistrate Judge); *id.* (Doc. 281) at pp. 8 & 10, PageID 8217 & 8219 (“Findings, Conclusions, and Recommendation of the United States Magistrate Judge”) (“Plaintiff seeks \$2,610.00 for work done by Barry S. Hersh of Hersh Law Firm, P.C., who helped with jury selection and mock trial, for 5.8 hours at an hourly billing rate of \$450.00. . . . Defendant does not challenge the hourly rates charged by Plaintiff’s attorneys, the costs of court, or postjudgment interest request.”).

* **J. Derek Braziel (class of '95)**: J. Derek Braziel works in Dallas. On February 28, 2013, **Judge Jane Boyle** ruled that \$495.00 per hour was “reasonable” and “warranted” for J. Derek Braziel in a Dallas FLSA case, *Owens v. Marstek, LLC*, No. 3:11-cv-01435-B (Doc. 26) (N.D. Tex. Dallas) (adopting fees requested in Doc. 24). On February 20, 2014, **Magistrate Judge David L. Horan** ruled that \$495.00 per hour was “reasonable” for Mr. Braziel and “within the market rate for attorneys handling this type of litigation in the Dallas area” in *Farasat v. RP Managing Partners, LLC*, No. 3:13-cv-00270-L (Doc. 46) (N.D. Tex. Dallas)—

a Dallas FLSA case. According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 20.06% higher in 2021 versus 2013—the year Judge Boyle ruled that \$495.00 per hour was reasonable (a \$99.32 difference).⁸ Adjusted *only* for such inflation from the year of Judge Boyle’s ruling (2013) to the end of 2021, that \$495.00 hourly rate for Mr. Braziel is \$594.32.

* **Kevin M. Duddleston (class of ’94)**: Mr. Duddleston works in Dallas. His online biography states that he “has represented employers in all areas of labor and employment law for over 25 years.” In a Dallas intellectual property case, *United States Green Building Council v. Wardell*, No. 3:14-cv-1541 (N.D. Tex. Dallas), he billed for work on a default judgment issue. *See, e.g., id.* Doc. 52-7 at p. 17 (“Review motion for entry of default and supporting papers and briefly confer with A. Pickell regarding same.”). The invoice for that work is dated October 8, 2015. *See id.* Doc. 52-7 Exhibit E pp. 1–25. The invoice lists his rate as \$499.50. *See id.* Doc. 52-7 at p. 24, PageID 426. According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (a \$78.46 difference).⁹ Adjusted *only* for such inflation from the year of this billing (2015) to the end of 2021, that \$499.50 hourly rate is \$577.96.

* **Robert E. McKnight, Jr. (class of ’92)**: Mr. McKnight’s online biography notes that he practices in the areas of labor and employment law. Though he is based in Victoria, Texas, on December 28, 2015, **Judge Barbara M. G. Lynn** awarded \$495.00 per hour for Mr. McKnight’s time working on attorneys’ fees issues in a Dallas employment retaliation case—based, in part, on the recommendation of **Magistrate Judge David L. Horan**. *See Kostić v. Texas A&M Univ.–Commerce*, No. 3:10-cv-02265-M (Doc. 282) (N.D. Tex. Dallas) (Order Accepting Findings and Recommendation of the United States Magistrate Judge); *id.* (Doc. 281) at pp. 8 & 10, PageID 8217 & 8219 (“Findings, Conclusions, and Recommendation of the United States Magistrate Judge”) (“Plaintiff seeks \$13,711.50 for work done by Robert E. McKnight, Jr., of counsel to the law firm of Marek, Griffin & Knaupp, who helped prepare the motion for fees and costs, for 14.30 hours at an hourly rate of \$495.00 (\$7,078.50) for work done prior to the filing of original motion and 13.40 hours at an hourly rate of \$495.00 (\$6,633.00) for work done after the original motion was filed. . . . Defendant does not challenge the hourly rates charged by Plaintiff’s attorneys, the costs of court, or postjudgment interest request.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71%

⁸ <https://www.officialdata.org/Legal-services/price-inflation/2013-to-2021?amount=495>

⁹ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=499.50>

higher in 2021 versus 2015 (a \$77.75 difference).¹⁰ Adjusted *only* for such inflation from the year of this ruling (2015) to the end of 2021, that \$495.00 hourly rate is \$572.75.

* **Trey Branham (class of '99):** Mr. Branham works in Dallas. On April 9, 2014, **Judge Jorge Solis** found a rate of \$475.00 per hour was “reasonable for this locality” for the work Mr. Branham did in prosecuting a Dallas FLSA case. *See Parker v. ABC Debt Relief, Ltd.*, No. 3:10-cv-1332-P (Doc. 241) at p. 4, PageID 7059 (N.D. Tex. Dallas) (“Plaintiffs also request that attorneys Branham and Jeffrey Goldfarb be compensated at an hourly rate of \$475, The Court finds that the hourly rates requested by Plaintiffs are reasonable for this locality.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.55% higher in 2021 versus 2014 (an \$85.35 difference).¹¹ Adjusted *only* for such inflation from the year of this ruling (2014) to the end of 2021, that \$475.00 hourly rate is \$558.35.

* **Jeffrey Goldfarb (class of '94):** Mr. Goldfarb works in Dallas. On April 9, 2014, Judge Jorge Solis found a rate of \$475.00 per hour was “reasonable for this locality” for the work Mr. Goldfarb did in prosecuting a Dallas FLSA case. *See Parker v. ABC Debt Relief, Ltd.*, No. 3:10-cv-1332-P (Doc. 241) at p. 4, PageID 7059 (N.D. Tex. Dallas) (“Plaintiffs also request that attorneys Branham and Jeffrey Goldfarb be compensated at an hourly rate of \$475, The Court finds that the hourly rates requested by Plaintiffs are reasonable for this locality.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.55% higher in 2021 versus 2014 (an \$83.35 difference).¹² Adjusted *only* for such inflation from the year of this ruling (2014) to the end of 2021, that \$475.00 hourly rate is \$558.35.

* **Robert G. “Bobby” Lee (class of '93):** Though he now works in Houston, Mr. Lee, a board-certified labor and employment law specialist, previously worked in North Texas. On June 14, 2016, **Judge Reed O'Connor** found a rate of \$495.00 per hour for Mr. Lee’s work in prosecuting a Fort Worth employment discrimination and retaliation case was “reasonable given the community standards” and Mr. Lee’s experience. *See Calahan v. BMJ Food Corp.*, No. 4:15-cv-00251-O (Doc. 29) at p.12, PageID 177 (N.D. Tex. Fort Worth) (“Plaintiff’s attorney suggests that associate Megan Leigh Dixon rate of \$295 dollars an hour and Robert G. Lee’s rate at \$495 an hour are reasonable hourly rates. . . . The

¹⁰ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=495>

¹¹ <https://www.officialdata.org/Legal-services/price-inflation/2014-to-2021?amount=475>

¹² <https://www.officialdata.org/Legal-services/price-inflation/2014-to-2021?amount=475>

Court finds that Plaintiff's rates are reasonable given the community standards and Dixon and Lee's experience."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 11.93% higher in 2021 versus 2016 (a \$59.05 difference).¹³ Adjusted *only* for such inflation from the year of Judge O'Connor's ruling (2016) to the end of 2021, that \$495.00 hourly rate is \$554.05.

* **Michael A. McCabe (class of '98)**: Mr. McCabe works in Dallas. His online biography states that he is an "Award-winning Trial Lawyer in Employment Litigation." An invoice from his firm for some commercial litigation shows his rate was \$495.00 per hour in 2017. *See* Firm Invoice dated May 23, 2017, attached to Declaration of Michael A. McCabe accompanying motion for award of fees filed on July 27, 2018, at pp. 284–87, in *Valtech Servs., Inc. v. Cornerstone Staffing Solutions, Inc.*, No. DC-16-10346 (116th Judicial District Court for Dallas County, Texas). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017 (a \$40.00 difference).¹⁴ Adjusted *only* for such inflation from the year of this billing (2017) to the end of 2021, that \$495.00 hourly rate is \$535.00.

* **David L. Wiley (class of '96)**: Mr. Wiley works in Dallas and focuses his practice on employment law. On May 30, 2017, **Judge Ken Molberg** (now Justice Molberg of the Dallas Court of Appeals) awarded Mr. Wiley \$495.00 per hour for his work in helping select a jury in *Clark v. Everlight Americas, Inc.*, No. DC-15-05538 (95th District Court for Dallas County, Texas)—a Dallas employment discrimination and retaliation case. On December 12, 2019, a Taylor County jury in Abilene, Texas, awarded Mr. Wiley \$500.00 per hour for his work in prosecuting *Chad Carter v. City of Abilene, Texas*, No. 10138-D (350th Judicial District Court for Taylor County, Texas)—an Abilene whistleblower case. *See* Jury Verdict at pp. 6-8, Question 4 ("What is a reasonable attorneys' fee for necessary services provided in this case, stated in dollars and cents? . . . Answer: \$764 hours x \$500 = \$382,000"). On November 15, 2018, **Judge Mark Greenberg** ruled in a bench trial on fees that Mr. Wiley's requested rate of \$495.00 per hour was reasonable for his work in prosecuting *Carpenter v. Southwest Housing Dev. Co., Inc.*, Cause No. CC-08-2072-E (Dallas County Court at Law No. 5) (read into record at trial on fees)—a Dallas unlawful employment practices case involving refusal to pay earned compensation. Judge Greenberg then applied a 1.5 multiplier to fees. *See id.* According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher

¹³ <https://www.officialdata.org/Legal-services/price-inflation/2016-to-2021?amount=495>

¹⁴ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=495>

in 2021 versus 2017—the year of the 2017 *Everlight* decision awarding a \$495 per hour rate (a \$40.00 difference).¹⁵ Adjusted *only* for such inflation from the year of this decision to the end of 2021, that \$495.00 hourly rate is \$535.00.

* **Amy E. Gibson (class of '95):** Ms. Gibson works in Dallas and focuses her practice on employment law. On May 30, 2017, **Judge Ken Molberg** (now Justice Molberg of the Dallas Court of Appeals) awarded Ms. Gibson \$495.00 per hour for her work in helping select a jury in *Clark v. Everlight Americas, Inc.*, No. DC-15-05538 (95th District Court for Dallas County, Texas)—a Dallas employment discrimination and retaliation case. On December 28, 2015, **Judge Barbara M. G. Lynn** awarded \$450.00 per hour for Ms. Gibson's time helping select a jury in a Dallas employment retaliation case—based, in part, on the recommendation of **Magistrate Judge David L. Horan**. See *Kostić v. Texas A&M Univ.—Commerce*, No. 3:10-cv-02265-M (Doc. 282) (N.D. Tex. Dallas) (Order Accepting Findings and Recommendation of the United States Magistrate Judge); *id.* (Doc. 281) at pp. 7-8 & 10, PageID 8216-17 & 8219 (“Findings, Conclusions, and Recommendation of the United States Magistrate Judge”) (“Plaintiff seeks \$720.00 for work done by Amy E. Gibson of Gibson Wiley PLLC, who helped with jury selection, for 1.6 hours of work at an hourly rate of \$450.00. . . . Defendant does not challenge the hourly rates charged by Plaintiff's attorneys, the costs of court, or postjudgment interest request.”). On December 12, 2019, a Taylor County jury in Abilene, Texas, awarded Ms. Gibson \$500.00 per hour for her work as lead counsel in prosecuting *Chad Carter v. City of Abilene, Texas*, No. 10138-D (350th Judicial District Court for Taylor County, Texas)—an Abilene whistleblower case. See Jury Verdict at pp. 6-8, Question 4 (“What is a reasonable attorneys' fee for necessary services provided in this case, stated in dollars and cents? . . . Answer: \$764 hours x \$500 = \$382,000”). On November 15, 2018, **Judge Mark Greenberg** ruled in a bench trial on fees that Ms. Gibson's requested rate of \$495.00 per hour was reasonable for her work as lead counsel prosecuting *Carpenter v. Southwest Housing Dev. Co., Inc.*, Cause No. CC-08-2072-E (Dallas County Court at Law No. 5) (read into record at trial on fees)—a Dallas unlawful employment practices case involving refusal to pay earned compensation. Judge Greenberg then applied a 1.5 multiplier to fees. According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017—the year of the 2017 *Everlight* decision awarding a \$495 per hour rate (a \$40.00 difference).¹⁶ Adjusted *only* for such inflation from the year of this decision to the end of 2021, that \$495.00 hourly rate is \$535.00.

¹⁵ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=495>

¹⁶ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=495>

* **Douglas B. Welmaker (class of '93):** Mr. Welmaker is based in Austin and his online biography notes that for the past ten years he has limited his practice to FLSA cases. On January 10, 2022, **Magistrate Judge Renee Harris Toliver** found that \$525.00 per hour was a reasonable rate for Mr. Welmaker's time prosecuting a Dallas FLSA case. *See Hardy v. SDM Hospitality, LLC*, No. 20-cv-3157-S-BK (Doc. 11) at p. 11, PageID 87 (N.D. Tex. Dallas) ("Further, the undersigned finds that counsel's requested hourly rate of \$525.00 is reasonable for an attorney practicing in the field of employment law with comparable experience."). In 2015, in three different FLSA cases, judges in Dallas ruled \$400.00 per hour was a reasonable rate for his work. *See Mauricio v. Phillip Gaylen, P.C.*, No. 3:14-cv-00064-L (Doc. 41) at pp. 3-4, PageID 286-87 (N.D. Tex. Dallas Dec. 3, 2015) (**Magistrate Judge Irma Ramirez**) ("Here, Plaintiffs seek hourly rates of \$400 for Douglas B. Welmaker, The hourly rates are consistent with the prevailing market rates in this area,"), *report and recommendation adopted in* (Doc. 44), 2016 WL 1273337, 2016 Wage & Hour Cas. 2d (BNA) 99,007 (N.D. Tex. Dallas Mar. 30, 2016) (**Judge Sam A. Lindsay**); *Henderson v. Fenwick Protection Inc.*, No. 3:14-cv-00505 (Doc. 56) at pp. 13-14, PageID 284-85 (N.D. Tex. Dallas Nov. 23, 2015) (**Magistrate Judge David L. Horan**) ("According to the Welmaker Affidavit, Welmaker has an hourly billing rate of \$400.00, Under the particular circumstances here, the undersigned finds that both Welmaker and Michael's rates are consistent with the prevailing rates in Dallas County for attorneys with their respective experience, skill, and ability."), *report and recommendation adopted in* (Doc. 58) (N.D. Tex. Dallas Dec. 28, 2015) (**Judge Barbara M. G. Lynn**); *Robinson v. Nexion Health at Terrell, Inc.*, No. 3:12-cv-03853-L-BK (Doc. 56) at pp. 3 & 5, PageID 987 & 989 (N.D. Tex. Dallas Feb. 11, 2015) (**Magistrate Judge Renee Harris Toliver**) ("Plaintiff seeks reimbursement for attorneys: (1) Doug Welmaker at a rate of \$400.00 per hour; the undersigned finds such rates to be reasonable based on the Court's familiarity with hourly rates charged by attorneys of similar experience and skill."), *report and recommendation rejected on other grounds* (Doc. 57).

* **Jason Smith (class of '92):** Mr. Smith works in Fort Worth. His online biography notes that he "has developed an expertise as a trial lawyer handling employment, personal injury and insurance cases." On July 23, 2019, **Judge Dale Tillery** ruled that \$500.00 per hour was a "reasonable" hourly fee for his work in prosecuting a Dallas employment retaliation case. *See Findings of Facts and Conclusions of Law in Benavides v. Macy's Retail Holdings, Inc.*, No. DC-18-10796 at p. 4, ¶ 42 (134th Judicial District Court for Dallas County, Texas) ("\$500 is a reasonable hourly fee for Jason Smith in this case."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019 (a \$13.20

difference).¹⁷ Adjusted *only* for such inflation from the year of this decision (2019) to the end of 2021, that \$500.00 hourly rate is \$513.20.

* **Howard L. Steele, Jr. (class of '96):** Mr. Steele's online biography shows he works in Houston and practices labor and employment law. On March 8, 2017, **Judge Reed O'Connor** ruled \$470.00 per hour was a "reasonable" rate for Mr. Steele's work in a Forth Worth FLSA. See *Pereyra v. Navika Capital Group LLC*, No. 4:15-CV-00615-O (Doc. 83) at p. 4, PageID 3298 (N.D. Tex. Fort Worth) ("In connection with their work performed in the Western District case and this instant case Pereyra seeks hourly rates of \$470.00 for partner Howard Steele; . . . The Court finds that these rates are reasonable."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 7.87% higher in 2021 versus 2017 (a \$37.98 difference).¹⁸ Adjusted *only* for such inflation from the year of Judge O'Connor's finding (2017) to the end of 2021, that \$470.00 hourly rate is \$507.98.

* **Peter A. Milianti (class of '97):** Mr. Milianti's online biography notes his practice focuses on labor and employment litigation. Though Mr. Milianti is based in Chicago, on December 23, 2015, **Magistrate Judge David L. Horan** found \$437.00 per hour was within a reasonable range for Mr. Milianti's work in a Dallas employment discrimination case. See *McAfee v. Schneider Nat'l Carriers, Inc.*, No. 3:14-cv-1500-P (Doc. 52) at p. 12, PageID 200 (N.D. Tex. Dallas) ("The Court finds Mr. Milianti's \$437.00 hourly rate to be within the proper range for the prevailing market rate in this legal community for similar services by lawyers of reasonably comparable skills, experience, and reputation"). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (a \$68.64 difference).¹⁹ Adjusted *only* for such inflation from the year of Magistrate Judge Horan's finding (2015) to the end of 2021, that \$437.00 hourly rate is \$505.64.

* **David Langenfeld (class of '92):** Mr. Langenfeld is based in Austin and his online biography notes he is a board-certified labor and employment law specialist. In 2015, **Magistrate Judge Irma Ramirez** recommended his firm receive \$400.00 per hour for Mr. Langenfeld's work in prosecuting an FLSA case in Dallas, and **Judge Sam A. Lindsay** approved that recommendation. See *Mauricio v. Phillip Gaylen, P.C.*, No. 3:14-cv-00064-L (Doc. 41) at p. 3, PageID 286 (N.D. Tex. Dallas Dec. 3, 2015) (Magistrate Judge Irma Ramirez) ("Here,

¹⁷ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=500>

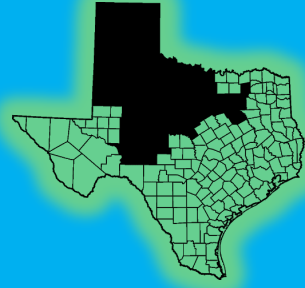
¹⁸ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=470>

¹⁹ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=437>

Plaintiffs seek hourly rates of \$400 for Douglas B. Welmaker, \$400 for David Langenfeld, and The hourly rates are consistent with the prevailing market rates in this area,”), *report and recommendation adopted in* (Doc. 44), 2016 WL 1273337, 2016 Wage & Hour Cas. 2d (BNA) 99,007 (N.D. Tex. Dallas Mar. 30, 2016) (Judge Sam A. Lindsay). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (a \$62.83 difference).²⁰ Adjusted *only* for such inflation from the year of Magistrate Judge Ramirez’s ruling to the end of 2021, that \$400.00 hourly rate is \$462.83.

²⁰ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=400>

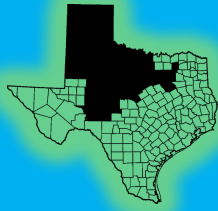
Classes of the 2000s



26 lawyers listed

\$559.13
average rate

\$501.37
median rate



Classes of the 2000s: The Rates



\$821.12*

Crystal Jamison
Woods
(JD 2009)



\$795.46*

Isabel A.
Crosby
(JD 2005)



\$759.53*

Micala
Bernardo
(JD 2007)



\$759.53*

Michael W.
Massiatte
(JD 2000)



\$755.24*

Stuart L.
Cochran
(JD 2000)



\$733.14*

Danielle Alexis
Matthews
(JD 2000)



\$653.75*

Karen C.
Denney
(JD 2002)



\$649.67*

Brian
Lauten
(JD 2001)



\$621.21*

John Roger
Herring
(JD 2008)



\$570.11*

Mike
Gaddis
(JD 2009)



\$555.16*

Joseph H.
Gillespie
(JD 2002)



\$550.00*

Kyla
Cole
(JD 2001)



\$519.74*

Brent
Walker
(JD 2004)



\$483.00*

Kimberly
Williams
(JD 2005)



\$462.83*

Brandon
Shelby
(JD 2004)



\$462.63*

James D.
Sanford
(JD 2005)



\$461.88*

Ashley
Tremain
(JD 2008)



\$461.88*

Carmen
Artaza
(JD 2006)



\$461.88*

Christine
Hopkins
(JD 2005)



\$456.91*

John M.
Barcus
(JD 2002)



\$444.13*

M. Jeanette
Fedele
(JD 2003)



\$436.22*

Gavin S.
Martinson
(JD 2005)



\$428.12*

Monica
Velazquez
(JD 2002)



\$411.42*

Corinna
Chandler
(JD 2009)



\$411.42*

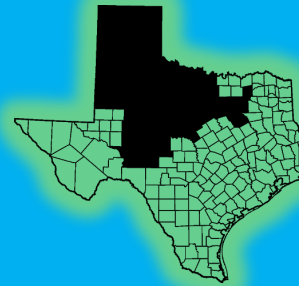
Todd
Goldberg
(JD 2009)



\$411.42*

Jamie J.
McKey
(JD 2006)

Classes of the 2000s: The Work



* **Crystal Jamison Woods (class of '09):** Ms. Woods works in Dallas and her online biography states that she “has a diverse legal practice involving labor and employment . . . with a primary focus on litigating disputes and counseling on matters implicating trade secrets, restrictive covenants and fiduciary duties.” She billed at the rate of \$800.00 per hour for work in a Dallas bankruptcy case. *See In re: 4 West Holdings, Inc.*, No. 18-30777 (Doc. 1429) at pp. 5, 9, 69, 72, 74, 88, 149, 166 (Bankr. N.D. Tex. Dallas) (Summary of Combined Third Interim and Final Application of DLA Piper LLP (US) for Allowance of Compensation for Services Rendered and Reimbursement of Expenses Incurred as Counsel to the Debtors and Debtors in Possession for the Interim Period from September 1, 2018 through February 13, 2019 and the final period from March 6, 2018 through February 13, 2019) (for work such as “evaluate and advise on dispute relating to deposition location,” “attention to issues relating to motion to compel,” “assist with deposition preparations,” “assist with hearing preparation,” “attention to case status and anticipated litigation needs”) (firm invoices dated February 6, 2019, and February 7, 2019). On May 2, 2019, **Judge Harlin D. Hale** approved the request for fees. *See id.* (Doc. 1485). Ms. Woods billed for work in an alleged theft of trade secrets case in Dallas involving former employees of a company, in *Medoc Health Servs., LLC v. Nguyen*, No. DC-18-0822 (14th District Court for Dallas County, Texas). An invoice dated March 23, 2018, lists her rate as \$685.00 per hour. *See* Exhibit C attached to Plaintiff’s Motion for Attorneys’ Fees in that case filed on November 20, 2020, at p. 55. On May 24, 2021, **Judge Eric V. Moyé** awarded fees based, in part, on this rate for Ms. Woods’s work. *See id.* (Revised Order) at p. 2 (“this Court finds that Plaintiffs incurred legal fees in the amount of \$261,632.82 related to The Court finds that Plaintiffs’ recovery of these fees is legally authorized, that the requested attorneys’ fees were reasonable and necessary for Plaintiffs’ legal representation,”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019—a \$21.12 difference from the \$800 rate listed.¹ Adjusted *only* for such inflation from the year

¹ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=800>

this rate was court-approved to the end of 2021, that \$800.00 hourly rate for Ms. Woods is \$821.12.

* **Isabel A. Crosby (class of '05)**: Ms. Crosby works in Dallas and her prior online biography says she “works closely with employers at all stages of the employment relationship.” She billed for work on an alleged theft of trade secrets case in Dallas involving former employees of a company, in *Medoc Health Servs., LLC v. Nguyen*, No. DC-18-0822 (14th District Court for Dallas County, Texas). An invoice dated March 7, 2019, lists her rate as \$775.00 per hour. *See* Exhibit C attached to Plaintiff’s Motion for Attorneys’ Fees in that case filed on November 20, 2020, at p. 138. On May 24, 2021, **Judge Eric V. Moyé** awarded fees based, in part, on this rate for Ms. Crosby’s work. *See id.* (Revised Order) at p. 2 (“this Court finds that Plaintiffs incurred legal fees in the amount of \$261,632.82 related to The Court finds that Plaintiffs’ recovery of these fees is legally authorized, that the requested attorneys’ fees were reasonable and necessary for Plaintiffs’ legal representation, . . .”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019 (a \$20.46 difference).² Adjusted *only* for such inflation from the year this rate was billed in the relevant Dallas community to the end of 2021, that \$775.00 hourly rate for Ms. Crosby is \$795.46.

* **Micala Bernardo (class of '07)**: Ms. Bernardo works in Dallas and her online biography states that her “practice focuses on counseling clients on labor and employment matters . . . brought by individuals or on a class-wide basis.” She billed at the rate of \$740.00 per hour for work in a Dallas bankruptcy case. *See In re: 4 West Holdings, Inc.*, No. 18-30777 (Doc. 1429) at pp. 6, 181, 191 (Bankr. N.D. Tex. Dallas) (Summary of Combined Third Interim and Final Application of DLA Piper LLP (US) for Allowance of Compensation for Services Rendered and Reimbursement of Expenses Incurred as Counsel to the Debtors and Debtors in Possession for the Interim Period from September 1, 2018 through February 13, 2019 and the final period from March 6, 2018 through February 13, 2019) (for work such as “attention to review of exhibits for deposition”). On May 2, 2019, **Judge Harlin D. Hale** approved the request for fees. *See id.* (Doc. 1485). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019—a \$19.53 difference from the \$740.00 rate listed.³ Adjusted *only* for such inflation from the year this rate was court-approved to the end of 2021, that \$740.00 hourly rate for Ms. Bernardo is \$759.53.

² <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=775>

³ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=740>

* **Michael W. Massiatte (class of '00)**: Mr. Massiatte works in Dallas and his online biography states that he “focuses his practice on labor and employment matters[.]” He billed at the rate of \$740.00 per hour for work in a Dallas bankruptcy case. *See In re: 4 West Holdings, Inc.*, No. 18-30777 (Doc. 1429) at pp. 9, 181 (Bankr. N.D. Tex. Dallas) (Summary of Combined Third Interim and Final Application of DLA Piper LLP (US) for Allowance of Compensation for Services Rendered and Reimbursement of Expenses Incurred as Counsel to the Debtors and Debtors in Possession for the Interim Period from September 1, 2018 through February 13, 2019 and the final period from March 6, 2018 through February 13, 2019) (e.g., “Attention to review of exhibits for deposition”). Judge **Harlin D. Hale** approved the request for fees. *See id.* at Doc. 1485 (May 2, 2019). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019—an \$19.53 difference from the \$740.00 rate listed.⁴ Adjusted *only* for such inflation from the year this rate was court-awarded to the end of 2021, that \$740.00 hourly rate for Mr. Massiatte is \$759.53.

* **Stuart L. Cochran (class of '00)**: Mr. Cochran works in Dallas. On August 4, 2011, Judge **Royal Furgeson** determined the rate of \$600.00 per hour was a reasonable one for work Mr. Cochran did in a Dallas FLSA case. *See Spence v. Irving Holdings, Inc.*, No. 3:10-cv-142-F (Doc. 201) at p. 4, PageID 2414 (N.D. Tex. Dallas) (“Based on documentation provided by the parties, the number of hours worked by Plaintiffs’ counsel and personnel, which is not disputed, amounts to over 2,250 hours, including . . . ; 750 hours at a \$600/hour rate by Stuart Cochran; The Court finds these rates to be reasonable and consistent with hourly rates charged by comparable attorneys in the community for similar work.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 25.87% higher in 2021 versus 2011 (a \$155.24 difference).⁵ Adjusted *only* for such inflation from the year of Judge Ferguson’s determination (2011) to the end of 2021, that \$600.00 hourly rate for Mr. Cochran is \$755.24.

* **Danielle Alexis Matthews (class of '00)**: Ms. Matthews works in Dallas and her online biography notes “[h]er practice focuses on representing employers in workplace law matters, including preventive advice and counseling.” In a Dallas FLSA case, she submitted a declaration in which she noted that in 2016 she billed her client for work in that case at the rate of \$655.00 per hour. *See* Declaration of Danielle Alexis Matthews in *Areizaga v. ADW Corp.*,

⁴ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=740>

⁵ <https://www.officialdata.org/Legal-services/price-inflation/2011-to-2021?amount=600>

No. 3:14-cv-2899 (Docs. 94-1 & 94-2) (N.D. Tex. Dallas). *See generally* Brief in Support of ADW Corporation’s Motion to Dismiss Plaintiff’s Original Complaint (Doc. 7) (discussing nature of the case). Attached to Ms. Matthews’s declaration are law firm billing records. Those billing records, Doc. 94-2 at p. 6, list Ms. Matthews as having billed at a rate of \$655.00 per hour in an invoice dated February 10, 2016. Magistrate Judge David L. Horan declined to grant this requested rate. *See* Doc. 130 [Memorandum Opinion and Order] at p. 12. But it was a rate actually billed for employment work in the North Texas community. *See* Doc. 94-1 at p. 3, PageID 1051 (“Fulbright charged ADW its standard hourly rate for each of the attorneys who worked on the matter . . .”) and 94-2 at p. 6, PageID 1057 (listing \$655 as the rate for Ms. Matthews on the firm’s February 10, 2016, invoice). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 11.93% higher in 2021 versus 2016 (a \$78.14 difference).⁶ Adjusted *only* for such inflation from the year this rate was billed (2016) to the end of 2021, that \$655.00 hourly rate for Ms. Matthews is \$733.14.

* **Karen C. Denney (class of ’02)**: Ms. Denney works in Dallas and her online biography notes she “is a partner in her firm’s Labor and Employment Practice Group.” In a Dallas employment discrimination case, her declaration and accompanying client invoice dated April 14, 2015, show her rate charged for work billed in that case was \$565.00 per hour (prior to an across-the-board 10% discount). *See Garofalo v. Taco Bueno, LP*, No. 3:14-cv-02616-M-BH (Doc. 43) at p. 11, PageID 377 (N.D. Tex. Dallas) (for work such as “revise and finalize designation of expert witnesses for filing” and “revise required scheduling proposal”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (an \$88.75 difference).⁷ Adjusted *only* for such inflation from the year this rate was billed (2015) to the end of 2021, that \$565.00 hourly rate for Ms. Denney is \$653.75.

* **Brian Lauten (class of ’01)**: Mr. Lauten works in Dallas. On July 27, 2010, Judge Jane Boyle awarded Mr. Lauten a rate of \$500.00 per hour rate for his work in prosecuting a Dallas employment retaliation case. *See Nassar v. University of Texas Southwestern Medical Center*, No. 3:09-CV-1337 (Doc. 160) at pp. 8–10, PageID 2245–47 (N.D. Tex. Dallas) (“Defendant argues that Dr. Nassar has not met his burden and that the rates requested (\$400 per hour for Mr. Walker, \$500 per hour for Mr. Lauten, \$500 per hour for Ms. Lauten, and \$750 per hour for Ms. Aldous) are excessive. . . . In light of the degree of success

⁶ <https://www.officialdata.org/Legal-services/price-inflation/2016-to-2021?amount=655>

⁷ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=565>

obtained and the evidence submitted, the Court finds that the lodestar may be calculated using the requested rates, with one exception [applicable to Ms. Lauten].”), *reversed on other grounds*. According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 29.93% higher in 2021 versus 2010 (a \$149.67 difference).⁸ Adjusted *only* for such inflation from the year of Judge Boyle’s award (2010) to the end of 2021, that \$500.00 hourly rate for Mr. Lauten is \$649.67.

* **John R. Herring (class of ’08)**: Mr. Herring works in Dallas and his online biography notes he “has handled Fair Labor Standards Act (FLSA) collective actions and state law class actions across the country, and regularly assists companies evaluating compliance with state and federal employment laws and regulations.” In a Dallas FLSA case, a declaration was submitted which noted that in 2016, work he did was billed to a client at the rate of \$555.00 per hour. *See* Declaration of Danielle Alexis Matthews in *Areizaga v. ADW Corp.*, No. 3:14-cv-2899 (Docs. 94-1 & 94-2) (N.D. Tex. Dallas). *See generally* Brief in Support of ADW Corporation’s Motion to Dismiss Plaintiff’s Original Complaint (Doc. 7) (discussing nature of the case). Attached to the declaration are law firm billing records that show Mr. Herring as having billed at a rate of \$555.00 per hour in invoices dated February 10, 2016, March 15, 2016, and April 12, 2016. *See* Doc. 94-2 at pp. 6, 10, 14 (for work such as “conference with litigation team” and “prepare ADW Corporation’s brief seeking discovery of Plaintiff’s electronically stored information”). Magistrate Judge David L. Horan declined to grant this requested rate. *See* Doc. 130 [Memorandum Opinion and Order] at pp. 12–13. But it was a rate actually billed for employment work in the North Texas community. *See* Doc. 94-1 at p. 3, PageID 1051 (“Fulbright charged ADW its standard hourly rate for each of the attorneys who worked on the matter . . .”) and 94-2 at pp. 6, 10, 14 (listing “\$555.00” as the rate for Mr. Herring on several of his firm’s invoices). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 11.93% higher in 2021 versus 2016 (a \$66.21 difference).⁹ Adjusted *only* for such inflation from the year this rate was billed (2016) to the end of 2021, that \$555.00 hourly rate for Mr. Herring is \$621.21.

* **Mike Gaddis (class of ’09)**: Mr. Gaddis works in Dallas. His online biography notes that he has represented companies and individuals in employment disputes. In a Dallas alleged breach of employment agreement against a former employee of a company, there was testimony on January 28, 2014, that Mr. Gaddis’ hourly rate for work on that case was \$485.00 per hour. *See*

⁸ <https://www.officialdata.org/Legal-services/price-inflation/2010-to-2021?amount=500>

⁹ <https://www.officialdata.org/Legal-services/price-inflation/2016-to-2021?amount=555>

Transcript of trial testimony of Stephen E. Fox on January 28, 2014 in *Highland Capital Management, L.P. v. Daugherty*, No. 05-14-01215-CV (68th Judicial District Court for Dallas County, Texas) at p. 85 (“Q. Okay. And what hourly rate are you charging Highland for Mr. Gaddis’s work in this case? A. Whatever it says in the report, is it 480? Q. 485, I believe. A. 485, yes, sir.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.55% higher in 2021 versus 2014 (an \$85.11 difference).¹⁰ Adjusted *only* for such inflation from the year of this testimony (2014) to the end of 2021, that \$485.00 hourly rate for Mr. Gaddis is \$570.11.

* **Joseph H. Gillespie (class of ’02)**: Mr. Gillespie works in Dallas. His online biography notes he “focuses his practice on labor and employment advice, litigation, and trials.” On August 24, 2012, **Judge Ed Kinkeade** ruled that—for Mr. Gillespie’s work in a Dallas FLSA case—the rate of \$450.00 per hour was “consistent with the hourly wages of similarly situated attorneys in the Dallas area.” See *Black v. Settlepou, P.C.*, No. 3:10-CV-1418-K (Doc. 133) at p. 8, PageID 2610 (N.D. Tex. Dallas) (“Although Defendant SettlePou, P.C. contests the reasonableness of Betty Black’s counsels’ hourly rates, the Court has determined that hourly rates of \$450 per hour for Mr. Gillespie and \$375 per hour for Mr. Sanford are consistent with the hourly wages of similarly situated attorneys in the Dallas area.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 23.37% higher in 2021 versus 2012 (a \$105.16 difference).¹¹ Adjusted *only* for such inflation from the year of Judge Kinkeade’s determination (2012) to the end of 2021, that \$450.00 hourly rate for Mr. Gillespie is \$555.16.

* **Kyla Cole (class of ’01)**: Ms. Cole works in Dallas. Her online biography notes that she started her career representing employees in discrimination litigation and continues to represent employees in discrimination litigation. On April 20, 2021, **former Magistrate Judge Jeff Kaplan** served as arbitrator and awarded \$550.00 for Ms. Cole’s work prevailing in a Dallas age discrimination in employment case. See *Golden v. Sunridge Mgmt. Group, Inc.*, Cause No. DC-19-09796 (95th Judicial District Court for Dallas County, Texas) (Motion to Confirm Arbitration Award and Brief in Support filed June 14, 2021) (Exhibit B: JAMS Arbitration Final Award, JAMS Arbitration No. 1310024814 at p. 21: “the arbitrator determines that \$600.00 is a reasonable hourly rate for Legler and Neill and \$550.00 is a reasonable hourly rate for Cole.”). On July 22, 2021, **Judge Monica Purdy** confirmed the arbitration award. See *id.* (Order Confirming Arbitration Award).

¹⁰ <https://www.officialdata.org/Legal-services/price-inflation/2016-to-2021?amount=555>

¹¹ <https://www.officialdata.org/Legal-services/price-inflation/2012-to-2021?amount=450>

* **Brent Walker (class of '04)**: Mr. Walker works in Dallas. On July 27, 2010, Judge Jane Boyle awarded Mr. Walker a rate of \$400.00 per hour for his work in prosecuting a Dallas employment retaliation case. See *Nassar v. University of Texas Southwestern Medical Center*, No. 3:09-CV-1337 (Doc. 160) at pp. 8–10, PageID 2245–47 (N.D. Tex. Dallas) (“Defendant argues that Dr. Nassar has not met his burden and that the rates requested (\$400 per hour for Mr. Walker, \$500 per hour for Mr. Lauten, \$500 per hour for Ms. Lauten, and \$750 per hour for Ms. Aldous) are excessive. . . . In light of the degree of success obtained and the evidence submitted, the Court finds that the lodestar may be calculated using the requested rates, with one exception [applicable to Ms. Lauten].”), *reversed on other grounds*. According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 29.93% higher in 2021 versus 2010 (a \$119.74 difference).¹² Adjusted *only* for such inflation from the year of Judge Boyle’s fee ruling to the end of 2021, that \$400.00 hourly rate for Mr. Walker is \$519.74.

* **Kimberly F. Williams (class of '05)**: Ms. Williams works in Dallas. Her online biography states that she “focuses her practice exclusively on labor and employment law.” In 2021, Ms. Williams billed at a rate of \$483.00 per hour for work defending against a *pro se* plaintiff. See *Montgomery v. Southern Methodist Univ.*, No. 3:20-cv-03521-E-BN (Doc. 18-1) at pp. 14-15, PageID 154-55 (N.D. Tex. Dallas) (listing rate as “\$483.00” and describing work such as “Review and revise Reply in Support of Motion to Dismiss or, in the Alternative, Remand.”). On September 8, 2021, Magistrate Judge David L. Horan recommended fees be awarded to her client for work on a remand issue, but at the rate of \$459.17 for Ms. Williams’s work—using an average for her rates over different years. See *id.* (Doc. 22) at pp. 11-12 (“SMU seeks to recover fees averaging \$459.17 an hour for Ms. Williams, . . . the undersigned finds that these rates are reasonable and within the market rate for attorneys handling this type of litigation in the Dallas area.”). On October 4, 2021, Judge Ada Brown adopted that recommendation. See *id.* (Doc. 23).

* **Brandon Shelby (class of '04)**: Mr. Shelby works in Sherman. His online biography states that he litigates “on behalf of municipalities and government entities in a wide variety of disputes ranging from employment to property matters,” In 2015, in an alleged defamation case brought by a former government employee in Wichita Falls, Mr. Shelby testified that his standard hourly rate is \$400.00 per hour. See Declaration of Brandon Shelby in *Scruggs v. City of Bowie*, No. 7:14-cv-00123 (Doc. 60) at pp. 32–35, PageID 797 (N.D. Tex. Wichita Falls) (“My standard rate is \$400 per hour for my services”). According to

¹² <https://www.officialdata.org/Legal-services/price-inflation/2010-to-2021?amount=400>

the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (a \$62.83 difference).¹³ Adjusted *only* for such inflation from the year of this testimony (2015) to the end of 2021, that \$400.00 hourly rate for Mr. Shelby is \$462.83.

* **Jim Sanford (class of '05)**: Mr. Sanford works in Dallas. His online biography notes he “counsels and advocates for clients in the area of labor and employment law.” On August 24, 2012, **Judge Ed Kinkeade** ruled that—for Mr. Sanford’s work in a Dallas FLSA case—the rate of \$375.00 per hour was “consistent with the hourly wages of similarly situated attorneys in the Dallas area.” See *Black v. Settlepou, P.C.*, No. 3:10-CV-1418-K (Doc. 133) at p. 8, PageID 2610 (N.D. Tex. Dallas) (“Although Defendant SettlePou, P.C. contests the reasonableness of Betty Black’s counsels’ hourly rates, the Court has determined that hourly rates of \$450 per hour for Mr. Gillespie and \$375 per hour for Mr. Sanford are consistent with the hourly wages of similarly situated attorneys in the Dallas area.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 23.37% higher in 2021 versus 2012 (an \$87.63 difference).¹⁴ Adjusted *only* for such inflation from the year of Judge Kinkeade’s determination (2012) to the end of 2021, that \$375.00 hourly rate for Mr. Sanford is \$462.63.

* **Ashley Tremain (class of '08)**: Ms. Tremain works in Dallas. Her online biography notes that she “represent[s] individuals in all types of employment disputes, including informal negotiations, trial in the state and federal courts, arbitrations, appeals, and administrative proceedings before the TWC, EEOC, and NLRB.” On June 27, 2019, **Arbitrator Karen Fitzgerald** awarded Ms. Tremain a rate of \$450.00 per hour for work she did in prosecuting a Dallas Equal Pay Act case. See *Gardner v. Apple Texas Restaurants, Inc.*, AAA Case No. 01-17-0001-6323 at pp. 2-3 (American Arbitration Association Employment Arbitration Tribunal) (“I hereby adopt the parties’ Stipulation on the Terms of the Final Award as the Final Award in the case, and issue the following award against Respondent Apple Texas Restaurants, Inc. and in favor of Claimant Ryan Gardner: . . . \$110,924.37 award of attorney fees to Tremain Artaza, PLLC for 246.4986 attorney hours at a rate of \$450 per hour”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019 (an \$11.88 difference).¹⁵

¹³ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=400>

¹⁴ <https://www.officialdata.org/Legal-services/price-inflation/2012-to-2021?amount=375>

¹⁵ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=450>

Adjusted *only* for such inflation from the year of this ruling (2019) to the end of 2021, that \$450.00 hourly rate for Ms. Tremain is \$461.88.

* **Carmen Artaza (class of '06):** Ms. Artaza works in Dallas and her online biography notes that she has “practiced employment law exclusively since graduating law school in 2006.” On June 27, 2019, **Arbitrator Karen Fitzgerald** awarded Ms. Artaza a rate of \$450.00 per hour for work she did in prosecuting a Dallas Equal Pay Act case. *See Gardner v. Apple Texas Restaurants, Inc.*, AAA Case No. 01-17-0001-6323 at pp. 2-3 (American Arbitration Association Employment Arbitration Tribunal) (“I hereby adopt the parties’ Stipulation on the Terms of the Final Award as the Final Award in the case, and issue the following award against Respondent Apple Texas Restaurants, Inc. and in favor of Claimant Ryan Gardner: . . . \$110,924.37 award of attorney fees to Tremain Artaza, PLLC for 246.4986 attorney hours at a rate of \$450 per hour”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019 (a \$11.88 difference).¹⁶ Adjusted *only* for such inflation from the year of this ruling (2019) to the end of 2021, that \$450.00 hourly rate for Ms. Artaza is \$461.88.

* **Christine Hopkins (class of '05):** Ms. Hopkins works in Dallas. Her online biography notes she focuses her practice on employment law. On June 27, 2019, **Arbitrator Karen Fitzgerald** awarded Ms. Hopkins a rate of \$450.00 per hour for work she did in prosecuting a Dallas Equal Pay Act case. *See Gardner v. Apple Texas Restaurants, Inc.*, AAA Case No. 01-17-0001-6323 at pp. 2-3 (American Arbitration Association Employment Arbitration Tribunal) (“I hereby adopt the parties’ Stipulation on the Terms of the Final Award as the Final Award in the case, and issue the following award against Respondent Apple Texas Restaurants, Inc. and in favor of Claimant Ryan Gardner: . . . \$110,924.37 award of attorney fees to Tremain Artaza, PLLC for 246.4986 attorney hours at a rate of \$450 per hour”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019 (a \$11.88 difference).¹⁷ Adjusted *only* for such inflation from the year of this ruling (2019) to the end of 2021, that \$450.00 hourly rate for Ms. Hopkins is \$461.88.

* **John M. Barcus (class of '02):** Mr. Barcus works in Dallas. His online biography notes that he does labor and employment law work. On December 18, 2020, in a Dallas case involving allegations of race discrimination in employment, he submitted a declaration noting that although he worked on a

¹⁶ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=450>

¹⁷ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=450>

discount his standard hourly rate is \$450.00. *See Ibarra v. Jacobs Eng. Group, Inc.*, No. 3:19-cv-01437-C (Doc. 41-1) at p. 12, PageID 2420 (N.D. Tex. Dallas) (Declaration of John M. Barcus) (“My *standard* hourly rate for 2020 is \$450”) (emphasis in original). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020 (a \$6.91 difference).¹⁸ Adjusted *only* for such inflation from the year of this testimony (2020) to the end of 2021, that \$450.00 hourly rate for Mr. Barcus is \$456.91.

* **M. Jeanette Fedele (class of ’03)**: Ms. Fedele previously worked in Dallas. She is a board-certified labor and employment law specialist. On March 2, 2012, **Judge Ken Molberg** [now Justice Molberg of the Dallas Court of Appeals] ruled \$360.00 per hour was a “reasonable” rate in a Dallas employment retaliation case. *See Rush Truck Centers of Texas, L.P. v. Fitzgerald*, No. DC-09-15958-D (“Order on Attorney Fees”) at p. 5 (95th District Court for Dallas County, Texas) (“a reasonable fee for the necessary services of Fitzgerald’s attorneys, as established by the evidence, should be computed in the following manner: . . . *M. Jeanette Fedele*: \$85,320 (237 hours at the rate of \$360 per hour) . . .”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 23.37% higher in 2021 versus 2012 (an \$84.13 difference).¹⁹ Adjusted *only* for such inflation from the year of this court ruling to the end of 2021, that \$360.00 hourly rate for Ms. Fedele is \$444.13.

* **Gavin S. Martinson (class of ’05)**: Mr. Martinson works in Dallas and his online biography states that he “represents employers in all aspects of labor and employment law.” On January 14, 2019, in a Dallas employment discrimination and retaliation case, Mr. Martinson testified that his standard hourly rate was \$425.00 per hour. *See* Declaration of Gavin S. Martinson, filed in *Carmona v. Krammerer*, No. DC-17-13908 (298th District Court for Dallas County, Texas) (Exhibit A to Defendant’s Request for Entry of Attorney’s Fees) (“The hourly rates that Mr. Leslie and I charged for this matter were discounted from our ordinary rates for matters such as this. Mr. Leslie’s regular hourly rate is \$350 and my regular hourly rate is \$425”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019 (an \$11.22 difference).²⁰ Adjusted *only* for such inflation from the year of this testimony (2019) to the end of 2021, that \$425.00 hourly rate for Mr. Martinson is \$436.22.

¹⁸ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=450>

¹⁹ <https://www.officialdata.org/Legal-services/price-inflation/2012-to-2021?amount=360>

²⁰ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=425>

* **Monica Velazquez (class of '02)**: Ms. Velazquez works in Collin County and previously worked in Dallas. She is a board-certified labor and employment law specialist. On February 17, 2015, Ms. Velazquez testified that she billed \$370 per hour for work on a motion to dismiss in a Dallas employment discrimination case. *See* Affidavit of Monica Velazquez, filed in *Killough v. American Airlines, Inc.*, No. DC-14-11368 (68th District Court for Dallas County, Texas) (“In connection with the Motion to Dismiss to date, I billed 1.8 hours at an hourly rate of \$370[.] . . .”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (a \$58.12 difference).²¹ Adjusted *only* for such inflation from the year of this testimony (2015) to the end of 2021, that \$370.00 hourly rate for Mr. Martinson is \$428.12.

* **Corinna Chandler (class of '09)**: Ms. Chandler works in Dallas. Her online biography lists various areas of employment law she handles. On April 9, 2014, **Judge Jorge Solis** found a rate of \$350.00 per hour was “reasonable for this locality” for the work Ms. Chandler did in prosecuting a Dallas FLSA case. *See Parker v. ABC Debt Relief, Ltd.*, No. 3:10-cv-1332-P (Doc. 241) at p. 4, PageID 7059 (N.D. Tex. Dallas) (“Plaintiffs also request . . . that attorneys Todd Goldberg and Corinna Chandler be compensated at an hourly rate of \$350, The Court finds that the hourly rates requested by Plaintiffs are reasonable for this locality.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.55% higher in 2021 versus 2014 (a \$60.62 difference).²² Adjusted *only* for such inflation from the year of Judge Solis’s finding (2014) to the end of 2021, that \$350.00 hourly rate for Ms. Chandler is \$411.42.

* **Todd Goldberg (class of '09)**: Mr. Goldberg works in Dallas. On April 9, 2014, **Judge Jorge Solis** found a rate of \$350.00 per hour was “reasonable for this locality” for the work Mr. Goldberg did in prosecuting a Dallas FLSA case. *See Parker v. ABC Debt Relief, Ltd.*, No. 3:10-cv-1332-P (Doc. 241) at p. 4, PageID 7059 (N.D. Tex. Dallas) (“Plaintiffs also request . . . that attorneys Todd Goldberg and Corinna Chandler be compensated at an hourly rate of \$350, The Court finds that the hourly rates requested by Plaintiffs are reasonable for this locality.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.55% higher in 2021 versus 2014 (a \$61.42 difference).²³ Adjusted *only* for such inflation from

²¹ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=370>

²² <https://www.officialdata.org/Legal-services/price-inflation/2014-to-2021?amount=350>

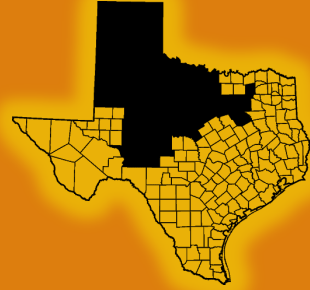
²³ <https://www.officialdata.org/Legal-services/price-inflation/2014-to-2021?amount=350>

the year of Judge Solis's finding to the end of 2021, that \$350.00 hourly rate for Mr. Goldberg is \$411.42.

* **Jamie J. McKey (class of '06):** Ms. McKey works in Dallas. On January 16, 2014, Judge Phyllis Lister Brown ruled that \$350.00 per hour was a reasonable rate for Mr. McKey's work in a disability discrimination in employment case. *See Green v. Dallas County Schools*, No. DC-12-09857 (Order of January 16, 2014) at p. 1 (162d District Court for Dallas County, Texas) ("The Court approves and awards Plaintiff reasonable attorney's fees of \$337,750.00, which represents 404.9 hours of Matthew R. Scott's time at a reasonable hourly rate of \$600 per hour, 208.5 hours of Jamie J. McKey's time at a reasonable hourly rate of \$350.00 per hour, . . ."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.55% higher in 2021 versus 2014 (a \$61.42 difference).²⁴ Adjusted *only* for such inflation from the year of Judge Brown's ruling to the end of 2021, that \$350.00 hourly rate for Ms. McKey is \$411.42.

²⁴ <https://www.officialdata.org/Legal-services/price-inflation/2014-to-2021?amount=350>

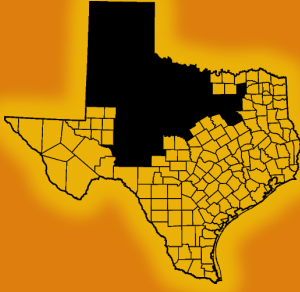
Classes of the 2010s



20 lawyers listed

\$426.91
average rate

\$358.97
median rate



Classes of the 2010s: The Rates



\$795.46*

Allison A.
Reddoch
(JD 2011)



\$414.55*

David
Norris
(JD 2011)



\$319.00*

Ryan
Toomey
(JD 2011)



\$689.18*

Todd
Mobley
(JD 2010)



\$410.56*

Jay
Forester
(JD 2013)



\$289.27*

Benjamin
Michael
(JD 2013)



\$684.00*

Britney
J. P. Prince
(JD 2015)



\$359.24*

Jeff T.
Leslie
(JD 2015)



\$289.27*

Michael L.
Parsons
(JD 2011)



\$651.76*

Betsey A.
Boutelle
(JD 2014)



\$358.69*

Barrett
Robin
(JD 2015)



\$270.20*

Matthew F.
Amos
(JD 2015)



\$532.25*

Arrissa K.
Meyer
(JD 2010)



\$330.19*

Megan
Dixon
(JD 2012)



\$259.09*

Jennifer
Birdsall
(JD 2017)



\$497.80*

Breegan
O'Connor
(JD 2017)



\$330.19*

Melinda
Arbuckle
(JD 2011)



\$246.25*

Hannah P.
Parks
(JD 2014)



\$481.30*

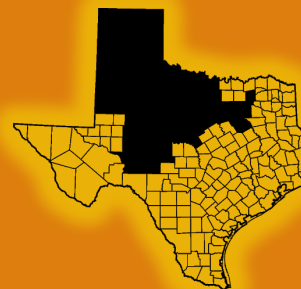
Jordan
Campbell
(JD 2013)



\$330.00*

Jennifer
McCoy
(JD 2016)

Classes of the 2010s: The Work



* **Allison A. Reddoch (class of '11)**: Ms. Reddoch works in Arlington and formerly focused on employment law in Dallas. In a bankruptcy case, her rate is listed as \$775.00 per hour for her work in the employment practice group of her firm as an associate. *See In re: 4 West Holdings, Inc.*, No. 18-30777 (Doc. 1429) at p. 9 (Bankr. N.D. Tex. Dallas) (Summary of Combined Third Interim and Final Application of DLA Piper LLP (US) for Allowance of Compensation for Services Rendered and Reimbursement of Expenses Incurred as Counsel to the Debtors and Debtors in Possession for the Interim Period from September 1, 2018 through February 13, 2019 and the final period from March 6, 2018 through February 13, 2019). On May 2, 2019, **Judge Harlin D. Hale** approved the request for fees. *See id.* (Doc. 1485). Ms. Reddoch billed for work in an alleged theft of trade secrets case in Dallas involving former employees of a company, in *Medoc Health Servs., LLC v. Nguyen*, No. DC-18-0822 (14th District Court for Dallas County, Texas). An invoice dated March 23, 2018, lists her rate as \$625.00 per hour. *See* Exhibit C attached to Plaintiff's Motion for Attorneys' Fees in that case filed on November 20, 2020, at p. 55 (for such work as "[m]ake preparation for hearing on Dyer's Motion to Dismiss by reviewing and evaluating documents produced by Defendants and clients' documents; attention to discovery issues; continue preparing for Defendants' depositions by preparing deposition outlines"). On May 24, 2021, **Judge Eric V. Moyé** awarded fees based, in part, on this rate for Ms. Reddoch's work. *See id.* (Revised Order) at p. 2 ("this Court finds that Plaintiffs incurred legal fees in the amount of \$261,632.82 related to The Court finds that Plaintiffs' recovery of these fees is legally authorized, that the requested attorneys' fees were reasonable and necessary for Plaintiffs' legal representation,"). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019—an \$20.46 difference from the \$775.00 rate listed.¹ Adjusted *only* for such inflation from the year this rate was court-approved to the end of 2021, that \$775.00 hourly rate for Ms. Reddoch is \$795.46.

¹ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=775>

* **Todd Mobley (class of '10)**: Mr. Mobley works in Dallas and his online biography says he “represents employers in connection with a wide variety of collective and class action wage and hour disputes brought pursuant to the FLSA, as well as claims of discrimination, harassment, retaliation and wrongful discharge.” He billed for work on an alleged theft of trade secrets case in Dallas involving former employees of a company, in *Medoc Health Servs., LLC v. Nguyen*, No. DC-18-0822 (14th District Court for Dallas County, Texas). An invoice dated March 23, 2018, lists his rate as \$665.00 per hour. *See* Exhibit C attached to Plaintiff’s Motion for Attorneys’ Fees in that case, filed on November 20, 2020, at p. 55 (for work such as “research related to whether subpoena served by the government on third parties are confidential or whether they can be disclosed,” “review agreed order,” “review and analyze discovery requests,” and “oversee service of objections and responses to discovery requests”). On May 24, 2021, **Judge Eric V. Moyé** awarded fees based, in part, on this rate for Mr. Mobley’s work. *See id.* (Revised Order) at p. 2 (“this Court finds that Plaintiffs incurred legal fees in the amount of \$261,632.82 related to The Court finds that Plaintiffs’ recovery of these fees is legally authorized, that the requested attorneys’ fees were reasonable and necessary for Plaintiffs’ legal representation,”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 3.64% higher in 2021 versus 2018—a \$24.18 difference from the \$665.00 rate listed in 2018.² Adjusted *only* for such inflation from the year this rate was billed (2018) to the end of 2021, that \$665.00 hourly rate for Mr. Mobley is \$689.18.

* **Britney J. P. Prince (class of '15)**: Ms. Prince works in Irving. In a Dallas bankruptcy case, her rate is listed as \$660.00 per hour and she was listed as “Associate; Employment.” *See In re: 4 West Holdings, Inc.*, No. 18-30777 (Doc. 1429) at pp. 6, 10, 181, 191 (Bankr. N.D. Tex. Dallas) (Summary of Combined Third Interim and Final Application of DLA Piper LLP (US) for Allowance of Compensation for Services Rendered and Reimbursement of Expenses Incurred as Counsel to the Debtors and Debtors in Possession for the Interim Period from September 1, 2018 through February 13, 2019 and the final period from March 6, 2018 through February 13, 2019). She billed at that \$660.00 per hour rate for work such as “prepare deposition exhibits.” *See id.* at p. 181 (time entry dated 01/03/19). On May 2, 2019, **Judge Harlin D. Hale** approved the request for fees. *See id.* (Doc. 1485). She billed for work in an alleged theft of trade secrets case in Dallas involving former employees of a company, in *Medoc Health Servs., LLC v. Nguyen*, No. DC-18-0822 (14th District Court for Dallas County, Texas). An invoice dated April 20, 2018, lists her rate as \$475.00 per hour.

² <https://www.officialdata.org/Legal-services/price-inflation/2018-to-2021?amount=665>

See Exhibit C attached to Plaintiff's Motion for Attorneys' Fees in that case, filed on November 20, 2020, at p. 67. On May 24, 2021, Judge Eric V. Moyé awarded fees based, in part, on this rate for Ms. Prince's work. *See id.* (Revised Order) at p. 2 ("this Court finds that Plaintiffs incurred legal fees in the amount of \$261,632.82 related to . . . The Court finds that Plaintiffs' recovery of these fees is legally authorized, that the requested attorneys' fees were reasonable and necessary for Plaintiffs' legal representation, . . ."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 3.64% higher in 2021 versus 2018—a \$24.00 difference from the \$660.00 rate listed in 2018.³ Adjusted *only* for such inflation from the year this rate was billed (2018) to the end of 2021, that \$660.00 hourly rate for Ms. Prince is \$684.00.

* **Betsey A. Boutelle (class of '14)**: Ms. Boutelle is currently an Assistant United States Attorney in California who previously worked in Texas and focused on employment law. In a Dallas bankruptcy case, her rate is listed as \$635.00 per hour and she is listed as "Associate; Employment." *See In re: 4 West Holdings, Inc.*, No. 18-30777 (Doc. 1429) at p. 10 (Bankr. N.D. Tex. Dallas) (Summary of Combined Third Interim and Final Application of DLA Piper LLP (US) for Allowance of Compensation for Services Rendered and Reimbursement of Expenses Incurred as Counsel to the Debtors and Debtors in Possession for the Interim Period from September 1, 2018 through February 13, 2019 and the final period from March 6, 2018 through February 13, 2019). On May 2, 2019, Judge Harlin D. Hale approved the request for fees. *See id.* (Doc. 1485). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019—a \$16.76 difference from the \$635.00 rate listed.⁴ Adjusted *only* for such inflation from the year this rate was court-approved (2019) to the end of 2021, that \$635.00 hourly rate for Ms. Boutelle is \$651.76.

* **Arrissa K. Meyer (class of '10)**: Ms. Meyer works in Dallas. Her online biography says that "[a]lthough she has significant experience in employment law, she focuses her practice on traditional labor law." In a Dallas employment discrimination case, a declaration and accompanying client invoice dated April 14, 2015, show her rate charged for work billed in that case was \$460.00 per hour (prior to an across-the-board 10% discount). *See Garofalo v. Taco Bueno, LP*, No. 3:14-cv-02616-M-BH (Doc. 43) at p. 11, PageID 377 (N.D. Tex. Dallas) (for

³ <https://www.officialdata.org/Legal-services/price-inflation/2018-to-2021?amount=660>

⁴ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=635>

work such as “Draft Designation of Expert Witnesses” and “Draft Defendant’s Scheduling Proposal for Settlement Conference pursuant to April 3rd order”). On May 31, 2019, **Judge Brian A. Jackson** of the United States District Court for the Middle District of Louisiana awarded the requested rate of \$358.75 for work Ms. Meyer did in an employment discrimination case. *See Brown v. Praxair*, No. 17-cv-00384-BAJ-RLB (Doc. 63) at pp. 9–11 (M.D. La.) (granting the amount of fees listed in the Affidavit of Ryan Griffiths attached to motion for fees, Doc. 34-5 at p.5). The request for fees in that case stated that \$358.75 is “well below her standard rate”). *See* Affidavit of Ryan Griffiths in *Brown v. Praxair, Inc.*, No. 3:17-cv-00384 (Doc. 34-5) (M.D. La.) (“Her discounted rate in this matter is \$358.75, which is well below her standard rate”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2014—a \$72.25 difference from the \$460.00 rate listed.⁵ Adjusted *only* for such inflation from the year this rate was billed for work in a Dallas employment case (2015) to the end of 2021, that \$460.00 hourly rate for Ms. Meyer is \$532.25.

* **Breegan O’Connor (class of ’17)**: Ms. O’Connor works in Dallas. Her online biography states that her practice “focuses on representing employers in employment-related litigation, including before federal and state courts, as well as arbitration panels. Her specific involvement includes drafting dispositive motions, pleadings, discovery and conducting legal research.” In a Dallas bankruptcy case, her rate is listed as \$485.00 per hour and she is listed as “Associate; Employment.” *See In re: 4 West Holdings, Inc.*, No. 18-30777 (Doc. 1429) at pp. 6, 10, 72, 88 (Bankr. N.D. Tex. Dallas) (Summary of Combined Third Interim and Final Application of DLA Piper LLP (US) for Allowance of Compensation for Services Rendered and Reimbursement of Expenses Incurred as Counsel to the Debtors and Debtors in Possession for the Interim Period from September 1, 2018 through February 13, 2019 and the final period from March 6, 2018 through February 13, 2019) (for work such as “[a]nalyze Texas federal law regarding the evidentiary standard for relevance” and “analyze Texas federal case law regarding waiver of privilege through the disclosure of the contents of a privileged document” on time entry dated 10/19/18). On May 2, 2019, **Judge Harlin D. Hale** approved the request for fees. *See id.* (Doc. 1485). She billed for work in an alleged theft of trade secrets case in Dallas involving former employees of a company, in *Medoc Health Servs., LLC v. Nguyen*, No. DC-18-0822 (14th District Court for Dallas County, Texas). An invoice dated March 23, 2018, lists her rate as \$425.00 per hour. *See* Exhibit C attached to Plaintiff’s Motion for Attorneys’ Fees in that case, filed on November 20, 2020, at p. 55. On May 24, 2021, **Judge Eric V. Moyé** awarded fees based, in part, on this rate for Ms. O’Connor’s work. *See id.* (Revised Order) at p. 2 (“this

⁵ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=460>

Court finds that Plaintiffs incurred legal fees in the amount of \$261,632.82 related to The Court finds that Plaintiffs' recovery of these fees is legally authorized, that the requested attorneys' fees were reasonable and necessary for Plaintiffs' legal representation,"). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019—an \$12.80 difference from the \$485.00 rate listed.⁶ Adjusted *only* for such inflation from the year this rate was court-approved (2019) to the end of 2021, that \$485.00 hourly rate for Ms. O'Connor is \$497.80.

* **Jordan Campbell (class of '13):** Mr. Campbell works in Dallas. In a Dallas FLSA case, a declaration was filed noting that in 2016 his firm billed its client for Mr. Campbell's work in that case at the rate of \$430.00 per hour. *See Areizaga v. ADW Corp.*, No. 3:14-cv-2899 (Docs. 94-1 & 94-2) (N.D. Tex. Dallas) (Declaration of Danielle Alexis Matthews). Attached to that declaration are law firm billing records. *See id.* (Doc. 94-2). Those billing records list Mr. Campbell as having billed at a rate of \$430.00 per hour in invoices dated February 10, 2016, March 15, 2016, and April 12, 2016. *See id.* (Doc. 94-2) at pp. 6, 10 & 14, PageID 1057, 1059 & 1061. This was for work including "Review, analyze, and revise Motion to Compel" and "prepare Appendix for Motion to Compel" and "review court's order regarding discovery issues." *See id.* Magistrate Judge David L. Horan declined to grant this requested rate. *See id.* Doc. 130 (Memorandum Opinion and Order) at pp. 12–13. But it was a rate actually billed for employment work in the North Texas community. *See id.* (Docs. 94-1) at p. 3, PageID 1051 ("Fulbright charged ADW its standard hourly rate for each of the attorneys who worked on the matter"); *see also id.* (Doc. 94-2) at pp. 6, 10 & 14, PageID 1057, 1061 & 1065 (listing \$430 as the rate for Mr. Campbell on the firm's February 10, 2016, March 15, 2016, and April 12, 2016, invoices). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 11.93% higher in 2021 versus 2016—a \$51.30 difference from the \$430.00 rate listed.⁷ Adjusted *only* for such inflation from the year this rate was billed (2016) to the end of 2021, that \$430.00 hourly rate for Mr. Campbell is \$481.30.

* **David Norris (class of '11):** Mr. Norris previously worked in Dallas. His online biography noted that he "focuses his practice on employment and civil trial law, including all aspects of employment law, business transactions, and

⁶ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=485>

⁷ <https://www.officialdata.org/Legal-services/price-inflation/2016-to-2021?amount=430>

commercial litigation.” On November 15, 2018, **Judge Mark Greenberg** ruled in a bench trial on fees that Mr. Norris’s requested rate of \$400.00 per hour was reasonable for his work in helping pick a jury in the prosecution of *Carpenter v. Southwest Housing Dev. Co., Inc.*, Cause No. CC-08-2072-E (Dallas County Court at Law No. 5) (read into record at trial on fees)—a Dallas unlawful employment practices case involving refusal to pay earned compensation. Judge Greenberg then applied a 1.5 multiplier to fees. On May 30, 2017, **Judge Ken Molberg** [now Justice Molberg of the Dallas Court of Appeals] awarded Mr. Norris \$350.00 per hour for his work in helping prosecute *Clark v. Everlight Americas, Inc.*, No. DC-15-05538 (95th District Court for Dallas County, Texas)—a Dallas employment discrimination and retaliation case. On December 28, 2015, **Judge Barbara M. G. Lynn** awarded \$250.00 per hour for Mr. Norris’s time helping prosecute a Dallas employment retaliation case—based, in part, on the recommendation of **Magistrate Judge David L. Horan**. *See Kostić v. Texas A&M Univ.–Commerce*, No. 3:10-cv-02265-M (Doc. 282) (N.D. Tex. Dallas) (order accepting magistrate recommendation); *id.* (Doc. 281) at pp. 7 & 10, PageID 8216 & 8219 (magistrate recommendation) (“Plaintiff seeks \$98,931.25 for work done by David B. Norris, . . . at an hourly rate of \$250.00 . . . Defendant does not challenge the hourly rates charged by Plaintiff’s attorneys, the costs of court, or postjudgment interest request.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 3.64% higher in 2021 versus 2018 (the year of the Judge Greenberg award)—a \$14.55 difference.⁸ Adjusted *only* for such inflation from the year of this award to the end of 2021, that \$400.00 hourly rate for Mr. Norris is \$414.55.

* **Jay Forester (class of ’13)**: Mr. Forester works in Dallas. His online biography states that his “practice now focuses exclusively on the representation of employees in lawsuits brought under the Fair Labor Standards Act and other equivalent state wage and hour laws.” On July 10, 2019, **Judge Barbara M.G. Lynn** found his hourly rate of \$400.00 was fair and reasonable for his work in prosecuting an FLSA case in Dallas. *See Jeffery v. Lone Star PJS, LLC*, No. 3:18-cv-02901-M (Doc. 18) at p. 6, PageID 49 (N.D. Tex. Dallas) (“Plaintiff’s counsel’s affidavit states that he worked for 17.4 hours on this matter and his current rate is \$400 per hour. . . . The Court finds that rate fair and reasonable in Dallas County, Texas.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019 (the year Judge Lynn ruled that \$400.00 was fair and reasonable for him in Dallas)—a \$10.56 difference.⁹ Adjusted *only* for

⁸ <https://www.officialdata.org/Legal-services/price-inflation/2018-to-2021?amount=400>

⁹ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=400>

such inflation from the year of this award to the end of 2021, that \$400.00 hourly rate for Mr. Forester is \$410.56.

* **Jeff T. Leslie (class of '15)**: Mr. Leslie works in Dallas. His online biography states that he “represents employers in a variety of industries, . . .” In 2019—in a Dallas employment discrimination and retaliation case—there was testimony that Mr. Leslie’s regular hourly rate was \$350.00 per hour. *See Carmona v. Krammerer*, No. DC-17-13908 (298th District Court for Dallas County, Texas) (Declaration of Gavin S. Martinson attached to Defendant’s Request for Entry of Attorneys’ Fees filed January 14, 2019 at ¶ 5) (“The hourly rates that Mr. Leslie and I charged for this matter were discounted from our ordinary rates for matters such as this. Mr. Leslie’s regular hourly rate is \$350 . . .”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019 (the year of this testimony)—a \$9.24 difference.¹⁰ Adjusted *only* for such inflation from the year of this testimony (2019) to the end of 2021, that \$350.00 hourly rate for Mr. Leslie is \$359.24.

* **Barrett Robin (class of '15)**: Mr. Robin works in Dallas. His online biography notes he is a trial lawyer. In 2015, his firm billed his time for work at the rate of \$310.00 per hour in a Dallas FLSA case. *See Areizaga v. ADW Corp.*, No. 3:14-cv-2899 (Docs. 94-1) at p. 2, PageID 1050 (N.D. Tex. Dallas) (Declaration of Danielle Alexis Matthews) (“The attorneys on this matter billed at the following hourly rates: . . . Barrett T. Robin, Associate, \$310 in 2015 . . .”). Magistrate Judge David L. Horan declined to grant an award of fees at this requested rate. *See* Doc. 130 [Memorandum Opinion and Order] at pp. 12–13, PageID 1601–02. But it was a rate actually billed for employment work in the North Texas community. *See* Docs. 94-1 at p. 3, PageID 1051 (“Fulbright charged ADW its standard hourly rate for each of the attorneys who worked on the matter”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (the year of this referenced billing)—a \$48.69 difference.¹¹ Adjusted *only* for such inflation from the year of this referenced billing (2015) to the end of 2021, that \$310.00 hourly rate for Mr. Robin is \$358.69.

* **Megan L. Dixon (class of '12)**: Ms. Dixon works in Dallas. Her online biography notes that she “focuses her practice on representing employees

¹⁰ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=350>

¹¹ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=310>

in a variety of employment disputes in state and federal courts throughout Texas.” On June 14, 2016, in a Fort Worth employment discrimination and retaliation case, **Judge Reed O’Connor** ruled that \$295.00 per hour was “reasonable given the community standards”—for her work in helping to prosecute that case. *See Calahan v. BMJ Food Corporation d/b/a Church’s Chicken*, No. 4:15-CV-00251-O (Doc. 29) at p. 12, PageID 177 (N.D. Tex. Fort Worth) (“Plaintiff’s attorney suggests that associate Megan Leigh Dixon rate of \$295 dollars an hour and Robert G. Lee’s rate at \$495 an hour are reasonable hourly rates. Lee maintains that his eight years of experience and Dixon’s four years of experience warrant this price. Plaintiff’s rates are reasonable given the community standards and Dixon and Lee’s experience.”) (internal citations omitted). On April 27, 2015, in a Dallas FLSA case, **Judge Eric Moyé** issued a judgment granting all requested fees—that request included a rate of \$250.00 per hour for work Ms. Dixon did in helping prosecute the case. *See Ramirez v. NTD Group, Inc.*, No. DC-14-03809 (14th Judicial District Court for Dallas County, Texas) (Final Judgment) (awarding “attorney fees in the amount of \$23,234.00, . . .”) *and* (Plaintiff’s Motion and Exhibit A Affidavit of Robert (Bobby) Lee dated April 22, 2015) (listing hourly rate for Ms. Dixon as \$250.00 per hour and seeking fees in the amount of \$23,234.00). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 11.93% higher in 2021 versus 2016 (the year of Judge O’Connor’s ruling referenced)—a \$35.19 difference.¹² Adjusted *only* for such inflation from the year of Judge O’Connor’s ruling (2016) to the end of 2021, that \$295.00 hourly rate for Ms. Dixon is \$330.19.

* **Melinda Arbuckle (class of ’11)**: Ms. Arbuckle works in Houston. Her online biography notes that she “represents workers who have not received all of the pay they were owed by their employers.” On December 8, 2016, **Judge Jane Boyle** determined that \$295.00 per hour was a reasonable rate for Ms. Arbuckle’s work in helping prosecute a Dallas employment discrimination and FLSA case. *See Aguayo v. Bassem Odeh, Inc.*, No. 3:13-cv-2951-B (Doc. 146) at p. 32, PageID 7548 (N.D. Tex. Dallas) (“The Court has determined reasonable rates for Plaintiffs’ counsel and settled on a reasonable number of hours for their work. With those conclusions in mind, the Court calculates Plaintiffs’ final lodestar value as follows: . . . Melinda Arbuckle . . . Rate . . . \$295”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 11.93% higher in 2021 versus 2016 (the year of Judge Boyle’s determination)—a \$35.19 difference.¹³ Adjusted *only* for

¹² <https://www.officialdata.org/Legal-services/price-inflation/2016-to-2021?amount=295>

¹³ <https://www.officialdata.org/Legal-services/price-inflation/2016-to-2021?amount=295>

such inflation from the year of Judge Boyle's determination (2016) to the end of 2021, that \$295.00 hourly rate for Ms. Arbuckle is \$330.19.

* **Jennifer McCoy (class of '16)**: Ms. McCoy works in Dallas. Her online biography states that she “represents employers in state and federal litigation involving claims of discrimination, retaliation, harassment and wage and hour violations.” In 2021, Ms. McCoy's firm billed at a rate of \$330.00 per hour for her work defending against a *pro se* plaintiff. *See Montgomery v. Southern Methodist Univ.*, No. 3:20-cv-03521-E-BN (Doc. 18-1) at pp. 14-15, PageID 154-55 (N.D. Tex. Dallas) (listing rate as “\$330.00” and describing work such as “Continue to prepare SMU's Reply inSupport of its Motion to Dismiss or, in the Alternative, Remand. . . Review and analyze Magistrate's Findings and Recommendations.”). On September 8, 2021, **Magistrate Judge David L. Horan** recommended fees be awarded to her client for work on a remand issue, but at the rate of \$296.14 for Ms. McCoy's work—using a requested average for her rates over different years. *See id.* (Doc. 22) at pp. 11-12 (“SMU seeks to recover fees averaging \$459.17 an hour for Ms. Williams, . . . and \$296.14 for Jennifer McCoy . . . the undersigned finds that these rates are reasonable and within the market rate for attorneys handling this type of litigation in the Dallas area.”). On October 4, 2021, **Judge Ada Brown** adopted that recommendation. *See id.* (Doc. 23).

* **Ryan Toomey (class of '11)**: Mr. Toomey works in Austin. His online biography notes he is a trial lawyer. On December 8, 2016, **Judge Jane Boyle** determined that \$285.00 per hour was a reasonable rate for Mr. Toomey's work in helping prosecute a Dallas employment discrimination and FLSA case. *See Aguayo v. Bassem Odeh, Inc.*, No. 3:13-cv-2951-B (Doc. 146) at pp. 32–33, PageID 7548–49 (N.D. Tex. Dallas) (“The Court has determined reasonable rates for Plaintiffs' counsel and settled on a reasonable number of hours for their work. With those conclusions in mind, the Court calculates Plaintiffs' final lodestar value as follows: . . . Ryan Toomey . . . Rate . . . \$285”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 11.93% higher in 2021 versus 2016 (the year of Judge Boyle's determination)—a \$34.00 difference.¹⁴ Adjusted *only* for such inflation from the year of Judge Boyle's determination (2016) to the end of 2021, that \$285.00 hourly rate for Mr. Toomey is \$319.00.

* **Benjamin Michael (class of '13)**: Mr. Michael works in Austin. On November 23, 2015, **Magistrate Judge David L. Horan** recommended a rate of

¹⁴ <https://www.officialdata.org/Legal-services/price-inflation/2016-to-2021?amount=285>

\$250.00 per hour for Mr. Michael's work in helping prosecute a Dallas FLSA case. *See Henderson v. Fenwick Protection Inc.*, No. 3:14-cv-00505 (Doc. 56) at p. 14, PageID 285 (N.D. Tex. Dallas) ("Under the particular circumstances here, the undersigned finds that both Welmaker and Michael's rates are consistent with the prevailing rates in Dallas County for attorneys with their respective experience, skill, and ability. Therefore, the undersigned concludes, based on the information and record, including Welmaker's Affidavit, that the requested hourly rates of \$400.00 and \$250.00 are reasonable and within the market rate for attorneys handling this type of litigation in the Dallas area."). On December 28, 2015, **Judge Barbara M. G. Lynn** adopted that recommendation. *See id.* (Doc. 58) at p. 1. According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (the year of these court determinations)—a \$39.27 difference.¹⁵ Adjusted *only* for such inflation from the year of these court determinations (2015) to the end of 2021, that \$250.00 hourly rate for Mr. Michael is \$289.27.

* **Michael L. Parsons (class of '11)**: Mr. Parsons works in Austin. On December 3, 2015, **Magistrate Judge Irma Ramirez** recommended his firm receive \$250.00 per hour for Mr. Parsons's work in prosecuting an FLSA case in Dallas, and **Judge Sam A. Lindsay** later approved that recommendation. *See Mauricio v. Phillip Gaylen, P.C.*, No. 3:14-cv-00064-L (Doc. 41) at p. 3, PageID 286 (N.D. Tex. Dallas Dec. 3, 2015) (Magistrate Judge Irma Ramirez) ("Here, Plaintiffs seek hourly rates of . . . \$250 for Michael Parsons. . . . The hourly rates are consistent with the prevailing market rates in this area, . . ."), *report and recommendation adopted in* (Doc. 44), 2016 WL 1273337, 2016 Wage & Hour Cas. 2d (BNA) 99,007 (N.D. Tex. Dallas Mar. 30, 2016) (Judge Sam A. Lindsay). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (the year of Magistrate Judge Ramirez's recommendation)—a \$39.27 difference.¹⁶ Adjusted *only* for such inflation from the year of Magistrate Judge Ramirez's ruling to the end of 2021, that \$250.00 hourly rate is \$289.27.

* **Matthew F. Amos (class of '15)**: Mr. Amos works in Dallas. On March 8, 2017, **Judge Reed O'Connor** ruled \$250.00 per hour was a "reasonable" rate for Mr. Amos's work in a Fort Worth FLSA case. *See Pereyra v. Navika Capital Group LLC*, No. 4:15-CV-00615-O (Doc. 83) at p. 4, PageID 3298 (N.D. Tex. Fort Worth) ("In connection with their work performed in the Western District

¹⁵ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=250>

¹⁶ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=250>

case and this instant case Pereyra seeks hourly rates of . . . \$250.00 for associates Philip Segura and Matt Amos; . . . the court finds these rates are reasonable”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017 (the year of Judge O’Connor’s ruling)—a \$20.20 difference.¹⁷ Adjusted *only* for such inflation from the year of Judge O’Connor’s ruling (2017) to the end of 2021, that \$250.00 hourly rate is \$270.20.

* **Jennifer Birdsall (class of ’17)**: Ms. Birdsall works in Dallas. On November 15, 2018, **Judge Mark Greenberg** ruled in a bench trial on fees that Ms. Birdsall’s requested rate of \$250.00 per hour was reasonable for her work in helping pick a jury in the prosecution of *Carpenter v. Southwest Housing Dev. Co., Inc.*, Cause No. CC-08-2072-E (Dallas County Court at Law No. 5) (read into record at trial on fees)—a Dallas unlawful employment practices case involving refusal to pay earned compensation. Judge Greenberg then applied a 1.5 multiplier to fees. According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 3.64% higher in 2021 versus 2018 (the year of Judge Greenberg’s ruling)—a \$9.09 difference.¹⁸ Adjusted *only* for such inflation from the year of Judge Greenberg’s ruling (2018) to the end of 2021, and without consideration of the 1.5 multiplier awarded, that \$250.00 hourly rate is \$259.09.

* **Hannah P. Parks (class of ’14)**: Ms. Parks works in Fort Worth. Her online biography states that she now works in-house as a labor & employment law attorney—and previously practiced in that area for a law firm. On June 21, 2016, **Magistrate Judge Clinton E. Averitte** granted fees requested in an Amarillo FLSA case—which included fees for Ms. Parks’s work at a rate of \$220.00 per hour. *See Ogoke v. Globe Energy*, No. 2:15-cv-00358J-BB (Doc. 30) (N.D. Tex. Amarillo) (adopting fees requested in Doc. 25). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 11.93% higher in 2021 versus 2016 (the year of Magistrate Judge Averitte’s ruling)—a \$26.25 difference.¹⁹ Adjusted *only* for such inflation from the year of Magistrate Judge Averitte’s ruling (2016) to the end of 2021, that \$220.00 hourly rate is \$246.25.

¹⁷ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=250>

¹⁸ <https://www.officialdata.org/Legal-services/price-inflation/2018-to-2021?amount=250>

¹⁹ <https://www.officialdata.org/Legal-services/price-inflation/2016-to-2021?amount=220>

South Texas

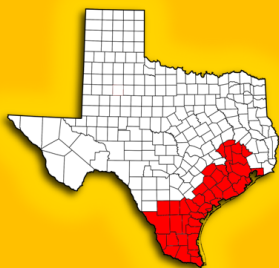


SDTX[†] summary of rates listed: high to low**\$1,182.88 to \$279.82**

Rate	Name / JD Year	Rate	Name / JD Year
\$1,182.88*	Peter J. Mee (JD 2009)	\$632.40*	Rex Burch (JD 1997)
\$1,172.73*	Donna M. Mezas (JD 1983)	\$618.33*	Teresa Valderrama (JD 1988)
\$1,132.11*	Nathan J. Oleson (JD 1999)	\$615.84*	Zenobia Harris Bivens (JD 2008)
\$1,132.11*	Esther G. Lander (JD 1997)	\$615.84*	Gregg M. Rosenberg (JD 1985)
\$1,097.02*	Edward Holzwanger (JD 2001)	\$607.46*	Jennifer L. Dotson (JD 1993)
\$1,082.85*	Bryan M. O'Keefe (JD 2011)	\$600.32*	Katharine D. David (JD 2004)
\$1,082.85*	Michael A. Schulman (JD 2011)	\$600.00*	M. Todd Slobin (JD 1997)
\$1,050.89*	Brian Glenn Patterson (JD 2006)	\$594.44*	Stephanie K. Osteen (JD 1997)
\$983.53*	Joseph M. Sellers (JD 1979)	\$584.71*	Laura L. Ho (JD 1994)
\$923.97*	Joshua K. Sekoski (JD 2012)	\$572.75*	Marlene C. Williams (JD 1997)
\$921.70*	Jennifer M. Trulock (JD 1997)	\$572.75*	J. Derek Braziel (JD 1995)
\$898.58*	Courtney L. Stahl (JD 2013)	\$566.43*	Martin A. Shellist (JD 1993)
\$889.84*	Sean Michael Becker (JD 1998)	\$564.52*	Michael A. Correll (JD 2009)
\$881.61*	John H. McDowell, Jr. (JD 1982)	\$558.35*	Alfonso Kennard, Jr. (JD 2002)
\$881.11*	Steven B. Harris (JD 1982)	\$558.35*	Anthony C. Wills (JD 1997)
\$864.46*	Kenneth E. Broughton (JD 1981)	\$549.61*	Stewart Hoffer (JD 1994)
\$863.05*	Scott L. Friedman (JD 2013)	\$546.60*	Lauren C. Fabela (JD 2008)
\$853.83*	Christine E. Webber (JD 1991)	\$540.40*	Scott Newar (JD 1989)
\$843.70*	Katherine A. Brooker (JD 2012)	\$540.40*	Dennis Herlong (JD 1982)
\$837.66*	Shauna Clark (JD 1994)	\$540.40*	Barbara Gardner (JD 1981)
\$835.00*	Wes Benter (JD 2018)	\$538.86*	Emery Gullickson Richards (JD 2014)
\$822.83*	Phillip B. Dye, Jr. (JD 1985)	\$537.26*	Carolyn A. Russell (JD 1998)
\$805.20*	Martina E. Vandenberg (JD 2000)	\$530.00*	Caitlin E. Gernert (JD 2014)
\$805.20*	Agnieszka Fryszman (JD 1996)	\$528.97*	Mark J. Oberti (JD 1994)
\$791.97*	Jamila Mensah (JD 2006)	\$520.68*	Nickolas G. Spiliotis (JD 2001)
\$783.58*	Ann Marie Arcadi (JD 1993)	\$520.68*	Salar Ali Ahmed (JD 1998)
\$777.91*	Joseph Y. Ahmad (JD 1987)	\$511.33*	Charles M. Rosson (JD 2010)
\$777.91*	John Zavitsanos (JD 1987)	\$507.67*	Austin Anderson (JD 2003)
\$740.55*	Matthew G. Nielsen (JD 2001)	\$507.67*	R. Russell Hollenbeck (JD 1994)
\$739.00*	Gregory J. Ossi (JD 1997)	\$507.67*	Douglas Welmaker (JD 1993)
\$734.67*	Mark D. Temple (JD 1995)	\$507.67*	Thomas C. Wright (JD 1980)
\$723.17*	Scott McLaughlin (JD 1994)	\$502.57*	Jim Staley (JD 1998)
\$719.21*	Oswald B. Cousins (JD 1994)	\$491.76*	Fran Shuman (JD 2005)
\$710.74*	Jeffrey M. Anapolsky (JD 1999)	\$491.76*	Thomas H. "Tom" Padgett (JD 1989)
\$703.08*	Mark L. Johansen (JD 1986)	\$486.36*	Charles A. Sturm (JD 1997)
\$702.52*	William J. Moore (JD 2005)	\$480.96*	Allan H. Neighbors, IV (JD 2001)
\$672.29*	Cristin M. Obsitnik (JD 1997)	\$472.02*	Eric J. Cassidy (JD 2001)
\$663.27*	Fazila Issa (JD 2004)	\$466.36*	Daryl Sinkule (JD 2002)
\$659.29*	M. Scott McDonald (JD 1987)	\$462.63*	George R. Gibson (JD 1995)
\$649.67*	David Borgen (JD 1981)	\$461.88*	Christopher R. Williams (JD 2016)
\$648.25*	Scott K. Davidson (JD 1998)	\$461.88*	Vickie Mery (JD 2012)
\$646.51*	Rhonda Wills (JD 1994)	\$458.44*	Liane Noble (JD 2011)
\$639.67*	Alan J. Marcuis (JD 1998)	\$456.91*	Clif Alexander (JD 2008)
\$634.76*	J. Marshall Horton (JD 2003)	\$456.91*	Trang Tran (JD 1995)

Rate	Name / JD Year	Rate	Name / JD Year
\$456.24*	Mike Seely (JD 2007)	\$399.19*	Michael J. Woodson (JD 2012)
\$448.53*	Michael Reed (JD 2012)	\$390.03*	E. Steve Smith (JD 2015)
\$446.75*	Nehal S. Anand (JD 2009)	\$376.05*	Angeles Garcia Cassin (JD 2013)
\$445.00*	Benjamin D. Williams (JD 2010)	\$372.88*	Amanda E. Brown (JD 2013)
\$440.80*	Curtis Waldo (JD 2010)	\$365.03*	Sara C. Longtain (JD 2007)
\$431.52*	Andrew Dunlap (JD 2011)	\$363.77*	Scot Clinton (JD 2004)
\$415.69*	Aaron Johnson (JD 2008)	\$358.18*	Samantha D. Seaton (JD 2013)
\$414.55*	Matt Heller (JD 2016)	\$354.11*	Caitlin Boehne (JD 2012)
\$411.42*	Lakshmi Ramakrishnan (JD 2002)	\$341.34*	Jay Forester (JD 2013)
\$411.22*	Evan D. Lewis (JD 2019)	\$335.79*	Brenna R. Lermom (JD 2014)
\$406.14*	Lindsay Itkin (JD 2010)	\$335.79*	Genevieve Estrada (JD 2013)
\$406.14*	Richard Schreiber (JD 2006)	\$333.58*	Michael Adams-Hurta (JD 2015)
\$406.14*	Lauren Braddy (JD 2010)	\$330.18*	DeAndrea C. Washington (JD 2009)
\$405.30*	Alysson Ford Ouoba (JD 2011)	\$310.91*	Vijay Pattisapu (JD 2011)
\$400.29*	Christopher Willett (JD 2009)	\$307.92*	Dorian Vandenberg-Rodes (JD 2013)
\$399.90*	Britney J. P. Prince (JD 2015)	\$279.82*	Ben Michael (JD 2013)

[†] Courts note the relevant community for fees is district-wide—not by city or division. *See, e.g., Lewallen v. City of Beaumont*, 394 Fed. Appx. 38, 46 (5th Cir. 2010); *Treadway v. Otero*, No. 2:19-CV-244 [Doc. 157] at p. 9 (S.D. Tex. Oct. 6, 2020) (citing cases and concluding: “When it comes to parsing between divisions, it appears that it is the district, rather than the division, that should govern the decision.”).



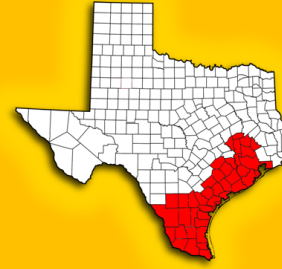
*Classes of the 1970s:
The Rates*

Joseph M. Sellers (JD 1979)



\$983.53*

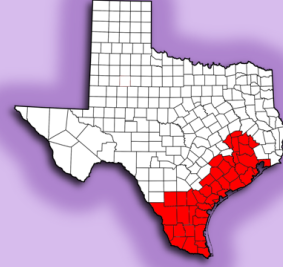
Classes of the 1970s: The Work



* **Joseph M. Sellers (class of '79):** Mr. Sellers works in Washington, D.C. His online biography notes that he is chair of his firm's "Civil Rights & Employment Practice Group." On November 30, 2017, **Judge Keith P. Ellison** determined Mr. Sellers's requested rate of \$910.00 per hour was "fair and reasonable" for work he did in a Houston human trafficking [i.e., forced labor] case. *Adhikari v. Daoud & Partners*, No. 4:09-CV-1237 (Doc. 764) at pp. 28–29 (S.D. Tex. Houston) ("The requested rates, in descending order, are as follows: \$910 for Sellers . . . The requested rates are fair and reasonable here too."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017 (a \$73.53 difference).¹ So, adjusted *only* for such inflation from the year of Judge Ellison's determination to the end of 2021, that \$910.00 hourly rate for Mr. Sellers is \$983.53.

¹ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=910>

Classes of the 1980s



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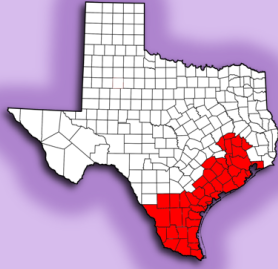
lawyers listed

\$708.55

average rate

\$659.29

median rate



Classes of the 1980s: The Rates



\$1,172.73*

Donna M.
Mezas
(JD 1983)



\$777.91*

John
Zavitsanos
(JD 1987)



\$615.84*

Gregg M.
Rosenberg
(JD 1985)



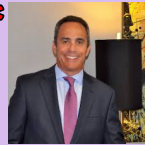
\$881.61*

John H.
McDowell, Jr.
(JD 1982)



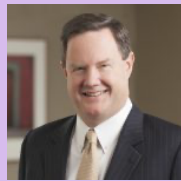
\$703.08*

Mark L.
Johansen
(JD 1986)



\$540.40*

Scott
Newar
(JD 1989)



\$881.11*

Steven B.
Harris
(JD 1982)



\$659.29*

M. Scott
McDonald
(JD 1987)



\$540.40*

Dennis
Herlong
(JD 1982)



\$864.46*

Kenneth E.
Broughton
(JD 1981)



\$649.67*

David
Borgen
(JD 1981)



\$540.40*

Barbara
Gardner
(JD 1981)



\$822.83*

Phillip B.
Dye, Jr.
(JD 1985)



\$618.33*

Teresa
Valderrama
(JD 1988)



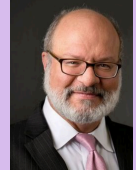
\$507.67*

Thomas C.
Wright
(JD 1980)



\$777.91*

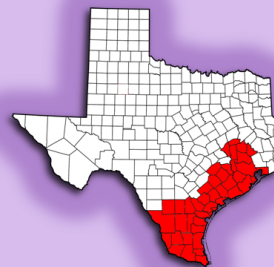
Joseph Y.
Ahmad
(JD 1987)



\$491.76*

Thomas H.
"Tom" Padgett
(JD 1989)

Classes of the 1980s: The Work



* **Donna M. Mezias (class of '83):** Ms. Mezias works in San Francisco. Her online biography states that she “[r]epresents clients in a wide range of employment issues.” In 2020, her law firm billed her time at the rate of \$1,155.00 per hour in a Houston bankruptcy case—for work such as: “Analyze WARN Act issues.” See *In re: Sanchez Energy Corp.*, No. 19-34508 (Doc. 1426) at Exhibits B & B-2, pp. 59, 62, 614, 643 (Bankr. S.D. Tex. Houston) (Second Interim and Final Fee Application of Akin Gump Strauss Hauer & Feld LLP for Allowance and Payment of Fees and Expenses as Counsel to the Debtors for the Period from December 1, 2019 through March 27, 2020: “Mazias, Donna M. . . . Dept. . . . LAB . . . 2020 Rate . . . \$1,155.00.”). On July 28, 2020, **Judge Marvin Isgur** approved the request for fees. See *id.* (Doc. 1521). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020 (a \$17.73 difference).¹ So, adjusted *only* for such inflation from the year of this billing and court ruling (2020) to the end of 2021, that \$1155.00 hourly rate for Ms. Mezias is \$1,172.73.

* **John H. McDowell, Jr. (class of '82):** Mr. McDowell works in Dallas. His online biography notes that he is a trial lawyer. On October 24, 2016, **Judge Lynn N. Hughes** awarded fees for work Mr. McDowell did in a Houston ERISA severance benefits case—including for work done at the rate of \$750.00 in 2014. See *Langley v. Howard Hughes Mgmt. Co.*, Civil Action No. H-13-3595 (Doc. 28) at p. 1 (S.D. Tex. Houston) (Order Awarding Attorneys’ Fees: “Howard Hughes Management Co., LLC, takes \$143,814.00 from William Langley as reasonable attorneys’ fees.”); *id.* (Doc. 22) at p. 7, ¶16 (Defendant’s Motion for Attorneys’ Fees: “As set forth in the affidavit of John H. McDowell, Jr., attached hereto as Exhibit 1, Defendant incurred reasonable and necessary attorneys’ fees in the amount of \$143,814.00 in defending against Plaintiff’s meritless claims.”); *id.* (Doc. 22-1) at p. 4, ¶8 (Declaration of John H. McDowell, Jr.: “Andrews Kurth sets its standard hourly rates at competitive levels to market for the services provided. During the pendency of this litigation, the applicable hourly rates charged by Andrews Kurth LLP in this case range from \$275.00 to \$290.00 for paralegals, \$290.00 to \$540.00

¹ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=1155>

for associate attorneys, and \$550.00 to \$750.00 for partners.”). Mr. McDowell’s law firm’s invoice shows time billed on February 28, 2014, was \$9,150.00 for 12.20 hours—which equals a per hour rate of \$750.00 for Mr. McDowell ($\$9,150.00 \div 12.20 = \750.00). *See id.* at p. 33 (“As of February 28, 2014 . . . Invoice . . . MCDOWELL, JR., J.H. . . . Hours . . . 12.20 . . . Value . . . \$9,150.00”). This was for work such as “Conduct research” and “Continue to review record” and “Finalize, and file, Defendant’s Cross-Motion for Summary Judgment and Response to Langley’s Motion for Summary Judgment.” *See id.* at pp. 29-33. The award of fees itself was reversed on other grounds in *Langley v. Howard Hughes Mgmt. Co.*, No. 16-20724 (5th Cir. June 1, 2017). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.55% higher in 2021 versus 2014—a \$131.61 difference from the year of that billing (2014).² So, adjusted *only* for such inflation from the year of this billing (2014) to the end of 2021, that \$750.00 hourly rate for Mr. McDowell is \$881.61.

*** Steven B. Harris (class of ’80):** Mr. Harris works in Houston. His online biography notes that his practice areas include labor and employment law. During 2011, he billed at a rate of \$700.00 per hour in a Houston employment agreement case—for work such as “Attention to acknowledgement form for new hires relating to non-disclosure of former employer confidences” and “Review motion of Rob Dascal for expedited trial setting and revise Sabine motion for expedited trial setting” and “Work on objections and responses to discovery requests filed by REG.” *See Renewable Energy Group, Inc. v. Dascal*, No. 2011-51111 (190th Judicial District Court for Harris County, Texas) (Affidavit of Eric J. Cassidy at ¶ 8 and attached bills marked Defendant’s Trial Exhibit 83 filed on December 23, 2011: “Sabine and Endicott agreed to compensate this firm based on an hourly fee rate. . . . Steven Harris’ rate is \$700.00 per hour. . . .”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 25.87% higher in 2021 versus 2011 (a \$181.11 difference).³ So, adjusted *only* for such inflation from the year of this billing (2011) to the end of 2021, that \$700.00 hourly rate for Mr. Harris is \$881.11.

*** Kenneth E. Broughton (class of ’81):** Mr. Broughton works in Houston. His online biography notes he is an experienced litigator in a number of areas. On September 25, 2015, **Judge Nancy F. Atlas** awarded fees requested for Mr. Broughton’s work in a Houston ERISA case. *See Romano Woods Dialysis Ctr. v. Admiral Linen Serv., Inc.*, No. 4:14-cv-01125 (Doc. 67) at p. 16 (S.D. Tex. Houston) (“Based on this review, and a clear recollection of the litigation of this lawsuit, the Court finds that the \$209,350.13 in attorneys’ fees requested by

² <https://www.officialdata.org/Legal-services/price-inflation/2014-to-2021?amount=750>

³ <https://www.officialdata.org/Legal-services/price-inflation/2011-to-2021?amount=700>

Defendants is reasonable and appropriate.”) (awarding all fees requested in Defendants’ Motion for Fees and Costs (Doc. 62)). The court-approved request for fees included work Mr. Broughton did at an hourly rate of \$720.00—work done and billed on invoices in 2013 at that rate, which was a rate “discounted from the Firm’s standard hourly rates.” *See* (Doc. 62-1) at pp. 3-4, 8 (Affidavit of Kenneth E. Broughton: for work such as “Analysis of claims and documents” on December 9, 2013). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 20.06% higher in 2021 versus 2013—a \$144.46 difference from the year that \$720.00 per hour rate was billed.⁴ So, adjusted *only* for such inflation from the year of this billing (2013) to the end of 2021, that \$720.00 hourly rate for Mr. Broughton is \$864.46.

* **Phillip B. Dye, Jr. (class of ’85):** Mr. Dye works in Houston. His online biography notes he focuses his work on litigation and arbitration. On June 13, 2014, he submitted an affidavit and accompanying redacted bills showing his discounted rate of \$700.00 per hour for his work in a Houston breach of employment agreement case. *See Lotte Chem. Titan (M) Sendrian Berhad v. Wilder*, No. 4:14-cv-1116 (Doc. 16) at p. 2 (S.D. Tex. Houston) (Affidavit of Phillip B. Dye, Jr.: “My hourly rate for this matter is \$700, which is discounted from my usual rate.”). He billed this rate for work in 2014 such as “research issues on removal” and “review of correspondence from plaintiff’s counsel with the settlement demand and other information.” *See id.* (Doc. 16-6) at p. 7. According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.55% higher in 2021 versus 2014—a \$122.83 difference from the year that \$700.00 per hour rate was billed.⁵ So, adjusted *only* for such inflation from the year of this billing (2014) to the end of 2021, that \$700.00 hourly rate for Mr. Dye is \$822.83.

* **Joseph Y. Ahmad (class of ’87):** Mr. Ahmad works in Houston. His online biography notes that he represents executives in a variety of employment matters. A 2016 attorney-client representation agreement shows that his billable rate for work in a Houston employment contract/severance negotiation case was \$695.00 per hour. *See Bragg v. Zavitsanos*, No. 2019-15102 (270th Judicial District Court for Harris County, Texas) (Fee Schedule—2016 Attorney Hourly Rates attached to Engagement Agreement as Exhibit 1 to Response in Opposition to Plaintiff’s Motion for Death Penalty Sanctions, filed on September 23, 2020). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 11.93%

⁴ <https://www.officialdata.org/Legal-services/price-inflation/2013-to-2021?amount=720>

⁵ <https://www.officialdata.org/Legal-services/price-inflation/2014-to-2021?amount=700>

higher in 2021 versus 2016—an \$82.93 difference from the year of that stated \$695.00 per hour billable rate.⁶ So, adjusted *only* for such inflation from the year of that agreement (2016) to the end of 2021, that \$695.00 hourly rate for Mr. Ahmad is \$777.91.

*** John Zavitsanos (class of '87):** Mr. Zavitsanos works in Houston. His online biography states that he is a highly regarded trial lawyer. A 2016 attorney-client representation agreement shows that his billable rate for work in a Houston employment contract/severance negotiation case was \$695.00 per hour. *See Bragg v. Zavitsanos*, No. 2019-15102 (270th Judicial District Court for Harris County, Texas) (Fee Schedule—2016 Attorney Hourly Rates attached to Engagement Agreement as Exhibit 1 to Response in Opposition to Plaintiff's Motion for Death Penalty Sanctions, filed on September 23, 2020). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 11.93% higher in 2021 versus 2016—an \$82.93 difference from the year of that stated \$695.00 per hour billable rate.⁷ So, adjusted *only* for such inflation from the year of that agreement (2016) to the end of 2021, that \$695.00 hourly rate for Mr. Zavitsanos is \$777.91.

*** Mark L. Johansen (class of '86):** Mr. Johansen works in Dallas. His online biography states that he “has extensive experience in a wide variety of complex litigation matters including . . . labor and employment.” In 2019, his law firm billed at the rate of \$685.00 per hour for his work on a Houston employment commissions case. *See Trippie v. Workplace Solutions Inc.*, No. 201984986 (281st Judicial District Court for Harris County, Texas) (Defendant's Trial Exhibit 17, Bates Stamp No. WPS000948, for trial held April 1, 2021, Invoice 1/23/20 for work in 2019: “Mark L. Johansen . . . Rate . . . 685.00 / hr”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019—an \$18.08 difference from the year of that billed \$685.00 hourly rate.⁸ So, adjusted *only* for such inflation from the year that rate was billed (2019) to the end of 2021, that \$685.00 hourly rate for Mr. Johansen is \$703.08.

*** M. Scott McDonald (class of '87):** Mr. McDonald works in Dallas. His online biography states that he “has represented clients in all areas of employment and labor law for more than 20 years.” In 2017, he billed his time at the rate of \$610.00 per hour for his work in a Houston misappropriation of trade

⁶ <https://www.officialdata.org/Legal-services/price-inflation/2016-to-2021?amount=695>

⁷ <https://www.officialdata.org/Legal-services/price-inflation/2016-to-2021?amount=695>

⁸ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=685>

secrets case against former employees of a company. *See Quantlab Technologies Ltd. v. Godlevsky*, No. 4:09-cv-04039 (Doc. 884) at pp. 6–7, ¶ 19 (S.D. Tex. Houston) (Affidavit of Tim McInturf: “In fact, SKV and Littler have charged less to handle this matter than they often charge clients for similar matters . . . Littler’s rates for its principal timekeepers increased incrementally by year as follows . . . Scott McDonald . . . 2017 . . . \$610”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017—a \$49.29 difference from the year of that billed \$610.00 hourly rate.⁹ So, adjusted *only* for such inflation from the year that rate was billed (2017) to the end of 2021, that \$610.00 hourly rate for Mr. McDonald is \$659.29.

* **David Borgen (class of ’81)**: Mr. Borgen works in California. His online biography notes that he focused his practice on wage and hour cases. On January 13, 2010, **Judge Keith P. Ellison** ruled that \$500.00 per hour for his work in a Houston FLSA case was “reasonable and consistent with hourly rates charged by comparable attorneys in the relevant legal community.” *See Roussell v. Brinker Int’l, Inc.*, No. H-05-3733 (Doc. 373) at p. 6 (S.D. Tex. Houston). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 29.93% higher in 2021 versus 2010—a \$149.67 difference from the year Judge Ellison ruled that \$500 hourly rate was reasonable.¹⁰ So, adjusted *only* for such inflation from the year of Judge Ellison’s ruling (2010) to the end of 2021, that \$500.00 hourly rate for Mr. Borgen is \$649.67.

* **Teresa Valderrama (class of ’88)**: Ms. Valderrama works in Houston. Her online biography states that she “has more than 25 years of experience representing employers in all aspects of workplace law, . . .” On October 29, 2013, in a Houston employment discrimination case, Ms. Valderrama testified that her usual hourly rate was \$515.00 *See Anderson v. Houston Community College*, No. 2012-40596 (334th Judicial District Court for Harris County, Texas) (Affidavit of Teresa S. Valderrama at p. 2, ¶ 4: “My hourly rate is \$515.00” though a specially negotiated discounted rate is mentioned). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 20.06% higher in 2021 versus 2013—a \$103.33 difference from the year of this testimony.¹¹ So, adjusted *only* for such inflation

⁹ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=610>

¹⁰ <https://www.officialdata.org/Legal-services/price-inflation/2010-to-2021?amount=500>

¹¹ <https://www.officialdata.org/Legal-services/price-inflation/2013-to-2021?amount=515>

from the year of this testimony (2013) to the end of 2021, that \$515.00 hourly rate for Ms. Valderrama is \$618.33.

* **Gregg M. Rosenberg (class of '85)**: Mr. Rosenberg works in Houston. His online biography states that he “has been practicing employment law since 1985.” On April 26, 2019, **Judge Sim Lake** granted fees that included Mr. Rosenberg’s requested rate of \$600.00 per hour for work in a Houston FLSA case. *See Dunphy v. Project Aristocrat Life Foundation*, No. 4:17-cv-1225 (Doc. 75) at p. 1 (S.D. Tex. Houston) (“Plaintiffs’ requests for reasonable attorneys’ fees and costs incurred in connection with the filing of this motion and the previously filed Motions to Compel [Dkts. 65 and 70] is also GRANTED. Defendants are ordered to pay Plaintiffs’ attorneys fees’ in the amount of \$3,789.00”); *id.* (Doc. 74-1) at p. 2, ¶8 (Affidavit of Gregg M. Rosenberg: “My hourly rate is \$600.00 per hour. . . The fees related to drafting the Motions to Compel . . . at least \$3,789.00 . . .”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019—a \$15.84 difference from the year of this ruling.¹² So, adjusted *only* for such inflation from the year of this ruling (2019) to the end of 2021, that \$600.00 hourly rate for Mr. Rosenberg is \$615.84.

* **Scott Newar (class of '89)**: Mr. Newar works in Houston. His online biography states that “[s]ince 1996, he has represented thousands of workers in all types of employment disputes” On March 16, 2017, **Judge Robert F. Schaffer** concluded \$500.00 per hour was a reasonable hourly rate for his work in an employment retaliation case. *See Davis v. Apache Corp.*, No. 2014-23898 (152nd Judicial District Court for Harris County, Texas) (Findings of Fact and Conclusions of Law Regarding Attorneys’ Fee Award at p. 4: “The reasonable hourly rate for Davis’ counsel is as follows . . . Scott Newar: \$500.00/hour”), *affirmed as modified on other issues* 573 S.W.3d 475 (Tex. App.—Houston [14th Dist.] 2019, pet. denied, reh’g granted), *reversed on other grounds* No. 19-0410 (Tex. June 25, 2021). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017—a \$40.40 difference from the year of this ruling.¹³ So, adjusted *only* for such inflation from the year of this ruling (2017) to the end of 2021, that \$500.00 hourly rate for Mr. Newar is \$540.40.

* **Dennis Herlong (class of '82)**: Mr. Herlong works in Houston. His online biography notes that he “handles wrongful and retaliatory terminations and age, sex, and race discrimination.” On March 16, 2017, **Judge Robert F.**

¹² <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=600>

¹³ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=500>

Schaffer concluded \$500.00 per hour was a reasonable hourly rate for his work in an employment retaliation case. *See Davis v. Apache Corp.*, No. 2014-23898 (152nd Judicial District Court for Harris County, Texas) (Findings of Fact and Conclusions of Law Regarding Attorneys' Fee Award at p. 4: "The reasonable hourly rate for Davis' counsel is as follows . . . Dennis Herlong: \$500.00/hour"), *affirmed as modified on other issues* 573 S.W.3d 475 (Tex. App.—Houston [14th Dist.] 2019, pet. denied, reh'g granted), *reversed on other grounds* No. 19-0410 (Tex. June 25, 2021). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017—a \$40.40 difference from the year of this ruling.¹⁴ So, adjusted *only* for such inflation from the year of this ruling (2017) to the end of 2021, that \$500.00 hourly rate for Mr. Herlong is \$540.40.

* **Barbara Gardner (class of '81)**: Ms. Gardner works in Houston, where she focuses her practice on employment law. On March 16, 2017, **Judge Robert F. Schaffer** concluded \$500.00 per hour was a reasonable hourly rate for her work in an employment retaliation case. *See Davis v. Apache Corp.*, No. 2014-23898 (152nd Judicial District Court for Harris County, Texas) (Findings of Fact and Conclusions of Law Regarding Attorneys' Fee Award at p. 4: "The reasonable hourly rate for Davis' counsel is as follows . . . Barbara Gardner: \$500.00/hour"), *affirmed as modified on other issues* 573 S.W.3d 475 (Tex. App.—Houston [14th Dist.] 2019, pet. denied, reh'g granted), *reversed on other grounds* No. 19-0410 (Tex. June 25, 2021). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017—a \$40.40 difference from the year of this ruling.¹⁵ So, adjusted *only* for such inflation from the year of this ruling (2017) to the end of 2021, that \$500.00 hourly rate for Ms. Gardner is \$540.40.

* **Thomas C. Wright (class of '80)**: Mr. Wright works in Houston. His online biography notes that he is an appellate specialist. On March 25, 2020, **Judge Andrew S. Hanen** ruled a requested rate of \$500.00 per hour was reasonable for his work helping prosecute an employment discrimination and retaliation case. *See Davis v. Fort Bend County*, No. 4:12-cv-00131 (Doc. 108) at pp. 5, 15 (S.D. Tex. Houston) ("The Court first begins with the hourly rates for Plaintiff's various attorneys and other professionals. . . . Those rates were: Thomas C. Wright: \$500 per hour; . . . Wright's hourly rate is approved by the court, . . ."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus

¹⁴ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=500>

¹⁵ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=500>

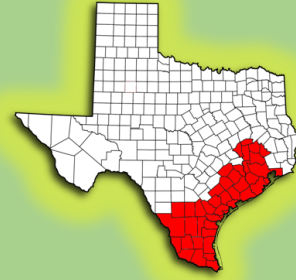
2020—a \$7.67 difference from the year of Judge Hanen’s ruling.¹⁶ So, adjusted *only* for such inflation from the year of this ruling (2020) to the end of 2021, that \$500.00 hourly rate for Mr. Wright is \$507.67.

* **Thomas H. Padgett, Jr. (class of ’89):** Mr. Padgett works in Houston. His online biography states that he is a civil rights lawyer. On September 11, 2015, **Judge David Hittner** granted fees that included Mr. Padgett’s requested rate of \$425.00 per hour for work in a Houston FLSA case. *See Ricciardi v. STSI, LLC*, No. H-14-cv-544 (Doc. 25) at p. 8 (S.D. Tex. Houston) (“[T]he court finds the hourly rates indicated in the attached billing invoice and sworn to by Hill are reasonable.”); *id.* (Doc. 17-4) at p. 2, ¶ 6 (Declaration of Jonathan Sandstrom Hill: “Thomas H. Padgett, Jr. has been a member of the Texas Bar since 1989 engaging in various types of litigation and trial practice. . . . A reasonable hourly fee for a lawyer with similar experience and expertise is \$425.00 per hour.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2020—a \$66.76 difference from the year of Judge Hittner’s ruling.¹⁷ So, adjusted *only* for such inflation from the year of this ruling (2015) to the end of 2021, that \$425.00 hourly rate for Mr. Padgett is \$491.76.

¹⁶ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=500>

¹⁷ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=425>

Classes of the 1990s



36

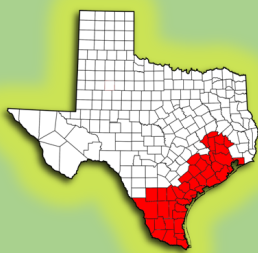
lawyers listed

\$664.98

average rate

\$619.93

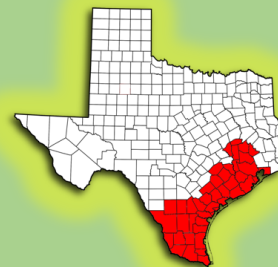
median rate



Classes of the 1990s: The Rates

	\$1,132.11* Nathan J. Oleson (JD 1999)		\$734.67* Mark D. Temple (JD 1995)		\$607.46* Jennifer L. Dotson (JD 1993)		\$537.26* Carolyn A. Russell (JD 1998)
	\$1,132.11* Esther G. Lander (JD 1997)		\$723.17* Scott McLaughlin (JD 1994)		\$600.00* M. Todd Slobin (JD 1997)		\$528.97* Mark J. Oberti (JD 1994)
	\$921.70* Jennifer M. Trulock (JD 1997)		\$719.21* Oswald B. Cousins (JD 1994)		\$594.44* Stephanie K. Osteen (JD 1997)		\$520.68* Salar Ali Ahmed (JD 1998)
	\$889.84* Sean Michael Becker (JD 1998)		\$710.74* Jeffrey M. Anapolsky (JD 1999)		\$584.71* Laura L. Ho (JD 1994)		\$507.67* R. Russell Hollenbeck (JD 1994)
	\$853.83* Christine E. Webber (JD 1991)		\$672.29* Cristin M. Obsitnik (JD 1997)		\$572.75* Marlene C. Williams (JD 1997)		\$507.67* Douglas Welmaker (JD 1993)
	\$837.66* Shauna Clark (JD 1994)		\$648.25* Scott K. Davidson (JD 1998)		\$572.75* J. Derek Braziel (JD 1995)		\$502.57* Jim Staley (JD 1998)
	\$805.20* Agnieszka Fryszman (JD 1996)		\$646.51* Rhonda Wills (JD 1994)		\$566.43* Martin A. Shellist (JD 1993)		\$486.36* Charles A. Sturm (JD 1997)
	\$783.58* Ann Marie Arcadi (JD 1993)		\$639.67* Alan J. Marcuis (JD 1998)		\$558.35* Anthony C. Wills (JD 1997)		\$462.63* George R. Gibson (JD 1995)
	\$739.00* Gregory J. Ossi (JD 1997)		\$632.40* Rex Burch (JD 1997)		\$549.61* Stewart Hoffer (JD 1994)		\$456.91* Trang Tran (JD 1995)

Classes of the 1990s: The Work



* **Nathan J. Oleson (class of '99)**: Mr. Oleson works in Washington D.C. His online biography states that his key experience “[f]ocuses on complex employment litigation and counseling.” In 2020, his law firm billed his time at the rate of \$1,115.00 per hour in a Houston bankruptcy case—for work such as: “Review research re pending FLSA matters.” *See In re: Sanchez Energy Corp.*, No. 19-34508 (Doc. 1426) at Exhibits B & B-2, pp. 59, 62, 614, 643 (Bankr. S.D. Tex. Houston) (Second Interim and Final Fee Application of Akin Gump Strauss Hauer & Feld LLP for Allowance and Payment of Fees and Expenses as Counsel to the Debtors for the Period from December 1, 2019 through March 27, 2020: “Oleson, Nathan J. . . . Dept. . . . LAB . . . 2020 Rate . . . \$1,115.00.”). On July 28, 2020, **Judge Marvin Isgur** approved the request for fees. *See id.* (Doc. 1521). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020 (a \$17.11 difference).¹ So, adjusted *only* for such inflation from the year of this billing and court ruling (2020) to the end of 2021, that \$1,115.00 hourly rate for Mr. Oleson is \$1,132.11.

* **Esther G. Lander (class of '97)**: Ms. Lander works in Washington D.C. Her online biography states that her key experience “[f]ocuses on high-stakes workplace internal and government investigations and complex employment discrimination claims.” In 2020, her law firm billed her time at the rate of \$1,115.00 per hour in a Houston bankruptcy case—for work such as: “Analyze options and scenarios re WARN Act.” *See In re: Sanchez Energy Corp.*, No. 19-34508 (Doc. 1426) at Exhibits B & B-2, pp. 59, 62, 614, 643 (Bankr. S.D. Tex. Houston) (Second Interim and Final Fee Application of Akin Gump Strauss Hauer & Feld LLP for Allowance and Payment of Fees and Expenses as Counsel to the Debtors for the Period from December 1, 2019 through March 27, 2020: “Lander, Esther G. . . . Dept. . . . LAB . . . 2020 Rate . . . \$1,115.00.”). On July 28, 2020, **Judge Marvin Isgur** approved the request for fees. *See id.* (Doc. 1521). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020

¹ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=1115>

(a \$17.11 difference).² So, adjusted *only* for such inflation from the year of this billing and court ruling (2020) to the end of 2021, that \$1115.00 hourly rate for Ms. Lander is \$1,132.11.

* **Jennifer M. Trulock (class of '97):** Ms. Trulock works in Dallas. Her online biography states that she “counsels companies on how to manage workplace legal issues, conduct investigations into employee misconduct, and prevent employment lawsuits.” In 2019, her firm billed her time at a rate of \$898.00 per hour in a Houston bankruptcy case—for employment law work such as “Labor Issues” and “Review charge and discuss with M. Wersebe” and “provide advice for response to employee’s attorney.” *See In re: Bristow Group Inc.*, No. 19-3271 (Doc. 878) at p. 8, (Doc. 878-3) at p. 1, (Doc. 878-5) at Exhibit 5-V “Labor Issues,” pp. 452–53 (Bankr. S.D. Tex. Houston) (First Interim Fee Application of Baker Botts L.L.P., Co-counsel to the Debtors, for Allowance and Payment of Compensation for Services Rendered and Reimbursement of Expenses Incurred for the Period May 11, 2019 through July 31, 2019, filed on August 21, 2019). On December 6, 2019, **Judge David R. Jones** approved her law firm’s request for fees. *See id.* (Doc. 930). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019 (a \$23.70 difference).³ So, adjusted *only* for such inflation from the year of this billing and ruling (2019) to the end of 2021, that \$898.00 hourly rate for Ms. Trulock is \$921.70.

* **Sean Michael Becker (class of '98):** Mr. Becker works in Houston. His online biography states that he is “head of the Employment, Labor and OSHA practice” for his law firm. In 2016, his firm billed his time at a rate of \$795.00 per hour in a Houston bankruptcy case—for work such as “Conference with David Meyer regarding new employment agreements.” *See In re: Energy XXI LTD*, No. 16-31928 (Doc. 1897) at pp. 59, 65 and (Doc. 1899-4) at pp. 89, 90, 244 (Bankr. S.D. Tex. Houston) (Summary of the Final Fee Application (First Interim, Second Interim and Third Interim Fee Periods) of Vinson & Elkins LLP, Attorneys for the Debtors and Debtors in Possession, For the Period from April 14, 2016 through and including December 30, 2016). On March 7, 2017, **Judge David R. Jones** approved his law firm’s request for fees. *See id.* at Doc. 1949 (March 7, 2017). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 11.93% higher in 2021 versus 2016—a \$94.84 difference from the year this rate was billed.⁴ So,

² <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=1115>

³ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=898>

⁴ <https://www.officialdata.org/Legal-services/price-inflation/2016-to-2021?amount=795>

adjusted *only* for such inflation from the year of this billing (2016) to the end of 2021, that \$795.00 hourly rate for Mr. Becker is \$889.84.

* **Christine E. Webber (class of '91):** Ms. Webber works in Washington, D.C. Her online biography states that she “represents victims of discrimination and wage and hour violations in class and collective actions.” On November 30, 2017, **Judge Keith P. Ellison** determined Ms. Webber’s requested rate of \$790.00 per hour was “fair and reasonable” for work she did in a Houston human trafficking [i.e., forced labor] case. *Adhikari v. Daoud & Partners*, No. 4:09-CV-1237 (Doc. 764) at pp. 28–29 (S.D. Tex. Houston) (The requested rates, in descending order, are as follows: . . . \$790 for Webber . . . The requested rates are fair and reasonable here too.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017 (a \$63.83 difference).⁵ So, adjusted *only* for such inflation from the year of Judge Ellison’s determination to the end of 2021, that \$790.00 hourly rate for Ms. Webber is \$853.83.

* **Shauna Clark (class of '94):** Ms. Clark works in Houston. Her online biography states that she “provides strategic advice to employers on best practice, conducts management and employee training, and counsels clients on the full spectrum of employment issues.” In 2020, Ms. Clark’s law firm billed her time for work at the rate of \$825.00 per hour in a Houston defamation/tortious interference case by a former employee against a former employer. *See Nath v. Baylor College of Medicine*, No. 2019-85080 (269th Judicial District Court for Harris County, Texas) (Declaration of Shauna J. Clark attached as Exhibit A to Defendant Baylor College of Medicine’s Application for Attorneys’ Fees, filed on June 30, 2020 at Tab 2, p. 4) (“Clark, S . . . Rate . . . 825.00). In 2018, Ms. Clark’s law firm billed her time at the rate of \$795.00 per hour in a Houston employment discrimination and ERISA case—for work such as “Meet with witnesses in preparation for deposition.” *See Gonzales v. ConocoPhillips Co.*, No. 4:17-cv-2374 (Doc. 94-3) at pp. 27, 29 (S.D. Tex. Houston) (Exhibit 1 to Declaration of Fazila Issa, Invoice dated September 27, 2018: “Clark, S. . . . Rate . . . 795.00”). On June 26, 2019, **Judge Kenneth M. Hoyt** determined the fees Ms. Clark’s firm sought for her work were reasonable—but only imposed 30% of them in his fee award. *See id.* (Doc. 108) at p. 1 (“The Court determines that the plaintiff’s ability to pay an attorneys’ fee is limited to his earned income and bonus(es), if any, resulting in an annual income in the range of \$250,000. The Court is of the opinion that the fees and costs sought are reasonable. In light of this fact, the Court determines that an award equal to 30% of the requested attorneys’ fees sought is reasonable.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021

⁵ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=790>

versus 2020—a \$12.66 difference from that 2020 billed rate in *Nath*.⁶ So, adjusted *only* for such inflation from the year of that billed rate (2020) to the end of 2021, that \$825.00 hourly rate for Ms. Clark is \$837.66.

* **Agnieszka Fryszman (class of '96):** Ms. Fryszman works in Washington, D.C. Her online biography notes that she practices in human rights—forced and slave labor. On November 30, 2017, **Judge Keith P. Ellison** determined Ms. Fryszman's requested rate of \$745.00 per hour was “fair and reasonable” for work she did in a Houston human trafficking [i.e., forced labor] case. *Adhikari v. Daoud & Partners*, No. 4:09-CV-1237 (Doc. 764) at pp. 28–29 (S.D. Tex. Houston) (The requested rates, in descending order, are as follows: . . . \$745 for Fryszman . . . The requested rates are fair and reasonable here too.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017 (a \$60.20 difference).⁷ So, adjusted *only* for such inflation from the year of Judge Ellison's determination to the end of 2021, that \$745.00 hourly rate for Ms. Fryszman is \$805.20.

* **Ann Marie Arcadi (class of '93):** Ms. Arcadi's works in Dallas. Her online biography states that she “regularly advises clients on compliance with state and federal labor & employment laws, assists with internal investigations, provides legal compliance and HR training, and represents clients before state and federal agencies with employment-related jurisdiction.” On August 2, 2017, she testified that her rate for work in a Houston employment discrimination case was \$725.00 per hour. *See Lyde v. The Boeing Co.*, No. 4:16-cv-3293 (Doc. 16-4) at p. 2, ¶ 4 (S.D. Tex. Houston) (Affidavit of Ann Marie Arcadi: “I have been involved in handling this case, and have done various legal work on this matter. My billing rate for this case was \$725.00 per hour.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017 (a \$58.58 difference).⁸ So, adjusted *only* for such inflation from the year of this billing to the end of 2021, that \$725.00 hourly rate for Ms. Arcadi is \$783.58.

* **Gregory J. Ossi (class of '97):** Mr. Ossi works in Washington, D.C. His online biography notes that he “counsels employers on a broad range of labor and employee benefits matters, . . .” In 2019, his law firm billed his time at the rate of \$720.00 per hour in a Houston bankruptcy case—for labor law work

⁶ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=825>

⁷ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=745>

⁸ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=725>

such as: “Prepare for and conduct negotiations with UMWA” and “Attend depositions of Joe M., Elizabeth M. and Doug G.” *See In re: Westmoreland Coal Co.*, No. 18-35672 (Doc. 2147-4) at pp. 2, 6 (Bankr. S.D. Tex. Houston) (Exhibit D, Itemized Time Records of Professionals and Paraprofessionals January 7, 2019 – June 21, 2019 attached to First and Final Fee Application (WMLP Debtors) of Drinker Biddle & Reath LLP as Special Labor and Employment Benefits Counsel to the Debtors and Debtors in Possession for the Period of January 7, 2019 through June 21, 2019: “GJ Ossi . . . Partner . . . Rate . . . \$720.00”). On August 14, 2019, **Judge David R. Jones** approved the request for fees. *See id.* (Doc. 2247). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019 (a \$19.00 difference).⁹ So, adjusted *only* for such inflation from the year of this billing and court ruling (2019) to the end of 2021, that \$720.00 hourly rate for Mr. Ossi is \$739.00.

* **Mark D. Temple (class of '95)**: Mr. Temple works in Houston. His online biography notes that he “focuses on high-stakes business disputes and complex employment litigation.” On September 25, 2015, **Judge Nancy F. Atlas** awarded fees requested for Mr. Temple’s work in a Houston ERISA case. *See Romano Woods Dialysis Ctr. v. Admiral Linen Serv., Inc.*, No. 4:14-cv-01125 (Doc. 67) (S.D. Tex. Houston) (“Based on this review, and a clear recollection of the litigation of this lawsuit, the Court finds that the \$209,350.13 in attorneys’ fees requested by Defendants is reasonable and appropriate.”) (awarding all fees requested in Defendants’ Motion for Fees and Costs (Doc. 62)). The court-approved request for fees documented work Mr. Temple did at an hourly rate of \$625.00—including work done and billed on invoices in 2014 at that rate. *See id.* (Doc. 62-1) at pp. 4, 33–34 (Affidavit of Kenneth E. Broughton, for work such as “Analysis of outstanding issues” on September 16, 2014). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.55% higher in 2021 versus 2014 (a \$109.67 difference).¹⁰ So, adjusted *only* for such inflation from the year of this billing (2014) to the end of 2021, that \$625.00 hourly rate for Mr. Temple is \$734.67.

* **Scott R. McLaughlin (class of '94)**: Mr. McLaughlin works in Houston. His online biography states that he “has extensive experience in conducting internal sexual harassment, discrimination, and fraud investigations, and provides day-to-day labor and employment advice and counsel to clients.” On August 5, 2015, in a Corpus Christi employment discrimination and retaliation case, his law firm noted that his standard rate per hour was \$625.00—though

⁹ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=720>

¹⁰ <https://www.officialdata.org/Legal-services/price-inflation/2014-to-2021?amount=625>

there was a lower negotiated effective rate per hour in that case. *See Arredondo v. Weatherford Int'l, LLC*, No. 2:14-cv-00170 (Doc. 89) at p. 1 (S.D. Tex. Corpus Christi) (Summary of Attorney Fees and Expenses: “Scott McLaughlin . . . STANDARD RATE PER HOUR . . . 625”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (a \$98.17 difference).¹¹ So, adjusted *only* for such inflation from the year of this stated rate (2015) to the end of 2021, that \$625.00 hourly rate for Mr. McLaughlin is \$723.17.

* **Oswald B. Cousins (class of '94)**: Mr. Cousins works in California. His online biography states that he “defends and advises clients on complex employment law challenges.” On November 28, 2007, **Judge Ewing Werlein, Jr.** gave his opinion that \$500.00 per hour was reasonable for Mr. Cousins’s work in a Houston employment discrimination case. *See Worrell v. GreatSchools, Inc.*, No. 4:07-cv-01100 (Doc. 17) at p. 10 (S.D. Tex. Houston) (“With all due respect to the rates ordinarily billed by Cousins in California for his experience and high level of competency, the Court is of the opinion that \$500 an hour is reasonable to the circumstances of this case in this district.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 43.84% higher in 2021 versus 2007 (a \$219.21 difference).¹² So, adjusted *only* for such inflation from the year of this ruling (2007) to the end of 2021, that \$500.00 hourly rate for Mr. Cousins is \$719.21.

* **Jeffrey M. Anapolsky (class of '99)**: Mr. Anapolsky works in Houston. His online biography notes that he does restructuring and dispute resolution. On July 2, 2020, he testified that his billable rate was \$700.00 per hour for his work in a Houston declaratory judgment case against a former employee—though he was willing to accept less in a fee motion. *See Anapolsky Advisors, Inc. v. Mangual*, No. 2020-11559 (127th Judicial District Court for Harris County, Texas) (Supplemental Declaration of Jeffrey M. Anapolsky, dated July 2, 2020 with bills attached, at p. 1, ¶ 3: “Although my billable rate for this matter is \$700 per hour, I am willing to match the billable rate of Defendant’s attorney, . . .”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020 (a \$10.74 difference).¹³ So, adjusted *only* for such inflation from the year of this testimony (2020) to the end of 2021, that \$700.00 hourly rate for Mr. Anapolsky is \$710.74.

¹¹ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=625>

¹² <https://www.officialdata.org/Legal-services/price-inflation/2007-to-2021?amount=500>

¹³ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=700>

* **Cristin M. Obsitnik (class of '97):** Ms. Obsitnik works in Chicago. Her online biography notes that she works on employee benefit programs: “Cristin counsels employers on the design and implementation of tax-qualified pension plans and nonqualified deferred compensation arrangements, as well as on ERISA fiduciary matters.” In 2019, her law firm billed her time at the rate of \$655.00 per hour in a Houston Bankruptcy case—for labor law work such as Review plan documents” and “Email exchanges with G. Ossi on treatment of pension plan after asset sale.” *See In re: Westmoreland Coal Co.*, No. 18-35672 (Doc. 2147-4) at pp. 9–10 (S.D. Tex. Bankruptcy Houston) (Exhibit D, Itemized Time Records of Professionals and Paraprofessionals January 7, 2019 – June 21, 2019 attached to First and Final Fee Application (WMLP Debtors) of Drinker Biddle & Reath LLP as Special Labor and Employment Benefits Counsel to the Debtors and Debtors in Possession for the Period of January 7, 2019 through June 21, 2019). On August 14, 2019, **Judge David R. Jones** approved the request for fees. *See id.* (Doc. 2247). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019 (a \$17.29 difference).¹⁴ So, adjusted *only* for such inflation from the year of this billing and court ruling (2019) to the end of 2021, that \$655.00 hourly rate for Ms. Obsitnik is \$672.29.

* **Scott K. Davidson (class of '98):** Mr. Davidson works in Houston. His online biography notes he works as an in-house attorney, but previously worked for a law firm “helping people with Employment & Labor issues.” On December 22, 2011, he testified that his law firm charged \$515.00 per hour for his work in a Houston employment agreement/non-compete case. *See Renewable Energy Group, Inc. v. Dascal*, No. 2011-51111 (190th Judicial District Court for Harris County, Texas) (Affidavit of Scott K. Davidson in Support of Attorney’s Fees at p. 1, ¶ 3: “I prosecuted this case in accordance with an hourly fee agreement entered into between Renewable Energy Group, Inc. and Locke Lord LLP. My firm charged Renewable Energy Group, Inc. \$515.00 per hour for my work . . .”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 25.87% higher in 2021 versus 2011 (a \$133.25 difference).¹⁵ So, adjusted *only* for such inflation from the year of this billing (2011) to the end of 2021, that \$515.00 hourly rate for Mr. Davidson is \$648.25.

* **Rhonda Wills (class of '94):** Ms. Wills works in Houston. Her online biography notes she focuses her practice on several areas, such as

¹⁴ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=655>

¹⁵ <https://www.officialdata.org/Legal-services/price-inflation/2011-to-2021?amount=515>

“problems at work (including unlawful pay, sexual harassment, discrimination, and injuries on the job)[.] . . .” On April 4, 2014, **Judge Gray H. Miller** awarded Ms. Wills’s law firm all fees requested in a Houston FLSA case—which included, under a lodestar method cross-check, a 1.29 multiplier from her hourly rate of \$550.00 per hour. See *In re Wells Fargo Wage & Hour Employment Practices Litigation*, No. 4:11-md-02266 (Doc. 239) (S.D. Tex.) (“The request for \$4.5 million in fees representing 30% of the settlement fund is APPROVED as fair and reasonable”); *id.* (Doc. 233) at pp. 20, 23, 24, 25 (Plaintiff’s Corrected Unopposed Motion for Approval of the Settlement on Behalf of FLSA Collective Action Members: “Here, the Settling Plaintiffs’ counsel seek \$4.5 million for attorneys’ fees (30% of the total settlement fund)[.] . . . A ‘cross-check’ of the *Johnson* factors further establishes the reasonableness of lead counsel’s fee request. . . . Accordingly, the lodestar multiplier on the hours worked to date with respect to the Settling Plaintiffs’ claims is 1.29. . . . Lead counsel’s lodestar is based on reasonable hourly rates, consisting of the following ranges: \$475-\$550 for partners and of counsel; \$150-\$425 for associates and staff attorneys; and \$75 for professional support staff. These rates are consistent with those charged in other significant FLSA actions and in the Texas legal market in general.”); *id.* at (Doc. 233-4) at p. 18, ¶ 37 (Declaration of Rhonda H. Wills: “The hours, attendant rates and lodestar for the Wills Law Firm, PLLC in this matter are as follows . . . RHONDA H. WILLS (LEAD COUNSEL) \$550[.] . . .”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.55% higher in 2021 versus 2014 (a \$96.51 difference).¹⁶ So, adjusted *only* for such inflation from the year of this court ruling (2014) to the end of 2021—and without regard to the 1.29 multiplier—that \$550.00 hourly rate for Ms. Wills is \$646.51.

* **Alan J. Marcuis (class of ’98)**: Mr. Marcuis works in Dallas. His online biography states that he “represents management in complex labor and employment law matters, including contract, trade secret and post-employment restrictive covenants, EEO litigation, collective bargaining and labor relations.” In 2020, his law firm listed his hourly rate as \$630.00 per hour in its fee request in a Houston bankruptcy case—for employment law work he did in 2019 such as “review David Fitch Texas Workforce Commission wage claim and supporting documents and analysis of same” and “conference regarding responses to Texas Workforce Commission denying wage claims” and “Review correspondence regarding former employees working for competitor and soliciting customers.” See *In re: KP Eng., L.P.*, No. 19-34698 (Doc. 613) at pp. 18, 37, 85, 86, 97, 271, 279, 284 (Bankr. S.D. Tex. Houston) (Fee Application Summary Cover Sheet for Second Interim and Final Fee Application of Hunton Andrews Kurth LLP, Special Counsel to Debtor KP Engineering, LP, for Allowance and Payment of Fees and Expenses for the Period from August 23, 2019 through June 23, 2020). On October

¹⁶ <https://www.officialdata.org/Legal-services/price-inflation/2014-to-2021?amount=550>

1, 2020, **Judge David R. Jones** approved the request for fees. *See id.* (Doc. 650). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020—the year of the court approval of the fee request—a \$9.67 difference.¹⁷ So, adjusted *only* for such inflation from the year of this court ruling (2020) to the end of 2021, that \$630.00 hourly rate for Mr. Marcuis is \$639.67.

* **Rex Burch (class of '97)**: Mr. Burch works in Houston, where he focuses his practice on labor and employment law. On October 11, 2016, Judge **Alfred H. Bennett** granted fees for work Mr. Burch did in a Houston FLSA case. *See St. John v. Nesco Service Co.*, No. 15-cv-00253 (Doc. 68) at p. 3 (S.D. Tex. Houston) (“Nesco does not take issue with the hourly rates charged by Plaintiff’s counsel” but making an across-the-board reduction on time); *id.* (Doc. 63) at p. 5 (Plaintiff’s Motion for an Award of Reasonable Attorney’s Fees, Costs, and Expenses: “Richard J. (Rex) Burch . . . RATE . . . \$565.00”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 11.93% higher in 2021 versus 2016—a \$67.40 difference from that 2016 rate of \$565.00 per hour.¹⁸ So, adjusted *only* for such inflation from the year of this court ruling (2016) to the end of 2021, that \$565.00 hourly rate for Mr. Burch is \$632.40.

* **Jennifer L. Dotson (class of '93)**: Ms. Dotson works in Pearland. She previously worked for a law firm in Houston. On September 25, 2015, Judge **Nancy F. Atlas** awarded fees requested for Ms. Dotson’s work in a Houston ERISA case. *See Romano Woods Dialysis Ctr. v. Admiral Linen Serv., Inc.*, No. 4:14-cv-01125 (Doc. 67) at p. 16 (S.D. Tex. Houston) (“Based on this review, and a clear recollection of the litigation of this lawsuit, the Court finds that the \$209,350.13 in attorneys’ fees requested by Defendants is reasonable and appropriate.”) (awarding all fees requested in Defendants’ Motion for Fees and Costs (Doc. 62)). On July 24, 2015, attorney Kenneth E. Broughton testified that her rate for work on the case, which was a rate “discounted from the Firm’s standard hourly rates,” was “\$495-\$525.” *See* (Doc. 62-1) at pp. 3-4, at ¶¶ 8 & 10 (Affidavit of Kenneth E. Broughton: “The fees are based on the number of hours Reed Smith’s timekeepers have spent working on this case multiplied times their applicable hourly rates, which for this matter were discounted from the Firm’s standard hourly rates. . . . Jennifer J. Dotson \$490-\$525.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015—

¹⁷ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=630>

¹⁸ <https://www.officialdata.org/Legal-services/price-inflation/2016-to-2021?amount=565>

an \$82.46 difference from the year of that 2015 testimony.¹⁹ So, adjusted *only* for such inflation from the year of this testimony and court award (2015) to the end of 2021, that \$525.00 hourly rate for Ms. Dotson is \$607.46.

* **M. Todd Slobin (class of '97)**: Mr. Slobin works in Houston. His online biography notes: "Since 1998, I have exclusively handled employment law cases." On November 21, 2018, **Magistrate Judge Christina A. Bryan** determined \$500.00 was a reasonable hourly rate for Mr. Slobin's work in a Houston FLSA case. *See Novick v. Shipcom Wireless, Inc.*, No. 4:16-cv-00730 (Doc. 100) at p. 6 (S.D. Tex. Houston) (Memorandum and Order: "\$500 is a reasonable rate for the services provided by Todd Slobin in this case."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 3.64% higher in 2021 versus 2018 (an \$18.18 difference).²⁰ So, adjusted *only* for such inflation from the year of this court ruling (2018) to the end of 2021, that \$500.00 hourly rate for Mr. Slobin is \$518.18. In the Summer of 2021, arbitrator and **former Judge Susan Soussan** approved a rate of \$600 per hour for Mr. Slobin's work. *See Hawthorne v. KS Mgmt. Servs.*, No. 4:17-cv-02350 (Doc. 89-2) at p. 4, ¶ 14 (S.D. Tex. Houston) (Declaration of Todd Slobin dated December 22, 2021: "I recently arbitrated a case before the Honorable Judge Susan Soussan over the Summer in 2021. Upon a successful arbitration award, my hourly rate of \$600 was approved.").

* **Stephanie K. Osteen (class of '97)**: Ms. Osteen works in Dallas. Her online biography states that "for the last twenty-five years, Stephanie has represented publicly traded and privately held companies, including Fortune 50-1000, middle market companies, private equity groups, and startups, in simple and complex employment litigation and transactional matters, over a wide range of industries." On April 13, 2017, her client sought sanctions to recover fees at a rate of \$550 per hour incurred for her time in defending a Houston Deceptive Trade Practices Act (DTPA) case over a job posting for a staffing agency—for work such as traveling to Houston for a deposition that did not take place. *See Grivich v. Robert Half Int'l, Inc.*, No. 2016-57390 (269th Judicial District Court for Harris County, Texas) (Defendant Robert Half International, Inc.'s Motion for Sanctions at p. 8 ¶ 20: "Robert Half incurred significant costs, including travel and hotel expenses for Robert Half's lead counsel, attorneys' fees for appearing at and preparing for Plaintiff's deposition, costs of the court reporter and videographer, and fees in researching for and drafting this Motion. [See Itemized Accounting of Defendant's Fees and Costs, attached as Exhibit 15.]"); *id.* at Exhibit 15 ("Rate (per hour) \$550" for work such as "Travel to and appear at Hunton & Williams LLP's

¹⁹ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=525>

²⁰ <https://www.officialdata.org/Legal-services/price-inflation/2018-to-2021?amount=500>

Houston for deposition of Plaintiff and communications with client regarding same (5.5 hours); review and revise Defendant's Motion for Sanctions (1.0 hours)."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017 (a \$44.44 difference).²¹ So, adjusted *only* for such inflation from the year of this invoicing and motion (2017) to the end of 2021, that \$550.00 hourly rate for Ms. Osteen is \$594.44.

* **Laura L. Ho (class of '94):** Ms. Ho works in California. Her online biography states that she "has extensive experience representing employees, consumers, and voters in class, collective, and representative actions in California and nationally." On January 13, 2010, **Judge Keith P. Ellison** ruled that \$450.00 per hour for her work in a Houston FLSA case was "reasonable and consistent with hourly rates charged by comparable attorneys in the relevant legal community." See *Roussell v. Brinker Int'l, Inc.*, No. H-05-3733 (Doc. 373) at p. 6 (S.D. Tex. Houston). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 29.93% higher in 2021 versus 2010 (a \$134.71 difference).²² So, adjusted *only* for such inflation from the year of Judge Ellison's ruling (2010) to the end of 2021, that \$450.00 hourly rate for Ms. Ho is \$584.71.

* **J. Derek Braziel (class of '95):** J. Derek Braziel works in Dallas. His online biography states that he "represents plaintiffs in collective action and class action litigation concerning rights asserted under the FLSA and commensurate state laws governing wages." On October 21, 2015, **Judge David Hittner** granted his firm fees in a Houston FLSA case. See *Gingrass v. TMG (The Moore Group, Inc.)*, No. 4:15-cv-00837 (Doc. 18) at p. 1 (S.D. Tex. Houston) ("The Court finds that Plaintiff has established by declaration that he and his counsel are entitled to recover from Defendant attorney's fees and costs of \$7,258.95, which the Court finds to be a reasonable amount."). Judge Hittner's ruling was premised, in part, on a rate of \$495.00 per hour for Mr. Braziel's work in that Houston FLSA case. See *id.* (Doc. 13-2) at p. 3, ¶ 11 (Declaration of Jesse H. Forester dated September 21, 2015: "The firm's lodestar (hours x hourly rates) on the hours expended on this matter, amounts to \$6,658.95 (J. Forester with 13.50 hours x \$295 = \$3,982.50; J. Derek Braziel with 3.00 hours x \$495 = \$1,485.00; and Chief Paralegal Josey Gonzales with 6.11 hours x \$195 = \$1,191.45). The firm also has an additional \$600.00 in costs in this matter for a total amount in fees and costs of \$7,258.95."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are

²¹ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=550>

²² <https://www.officialdata.org/Legal-services/price-inflation/2010-to-2021?amount=450>

15.71% higher in 2021 versus 2015 (a \$77.75 difference).²³ So, adjusted *only* for such inflation from the year of Judge Hittner’s ruling (2015) to the end of 2021, that \$495.00 hourly rate for Mr. Braziel is \$572.75.

* **Marlene C. Williams (class of ’97):** Ms. Williams works in Houston. Her online biography states that she “guides her clients through complex labor and employment matters, defending Fortune 100 companies in class action disputes and collective action litigation.” On August 5, 2015, in a Corpus Christi employment discrimination and retaliation case, her law firm noted that her standard rate per hour was \$495.00—though there was a lower negotiated effective rate per hour in that case. *See Arredondo v. Weatherford Int’l, LLC*, No. 2:14-cv-00170 (Doc. 89) at p. 1 (S.D. Tex. Corpus Christi) (Summary of Attorney Fees and Expenses: “Marlene Williams . . . STANDARD RATE PER HOUR: . . . 495”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (a \$77.75 difference).²⁴ So, adjusted *only* for such inflation from the year of this standard hourly rate for Ms. Williams (2015) to the end of 2021, that \$495.00 hourly rate for Ms. Williams is \$572.75.

* **Martin A. Shellist (class of ’93):** Martin Shellist works in Houston. His online biography notes that he represents clients in employment matters. On December 2, 2011, **Judge David Hittner** ruled there was sufficient evidence that Mr. Shellist’s requested hourly rate of \$450.00 was reasonable in a Houston employment discrimination case. *See Dixon v. Texas Southern Univ.*, No. 4:10-cv-01045 (Doc. 102) at p. 10 (S.D. Tex. Houston) (“Based on the qualifications of Slobin and Shellist and the rates charged in the local community, this Court finds Dixon has submitted sufficient evidence that the rates charged were reasonable. Accordingly, this Court will adopt Dixon’s proposed hourly rates: \$400 per hour for Slobin and \$450 per hour for Shellist.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 25.87% higher in 2021 versus 2011 (a \$116.43 difference).²⁵ So, adjusted *only* for such inflation from the year of Judge Hittner’s ruling (2011) to the end of 2021, that \$450.00 hourly rate for Mr. Shellist is \$566.43.

* **Anthony C. Wills (class of ’97):** Mr. Wills works in California but previously worked in Houston. On April 4, 2014, **Judge Gray H. Miller** awarded Ms. Wills’s law firm all fees requested in a Houston FLSA case—which

²³ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=495>

²⁴ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=495>

²⁵ <https://www.officialdata.org/Legal-services/price-inflation/2011-to-2021?amount=450>

included, under a lodestar method cross-check, a 1.29 multiplier from Mr. Wills's hourly rate of \$475.00 per hour. *See In re Wells Fargo Wage & Hour Employment Practices Litigation*, No. 4:11-md-02266 (Doc. 239) (S.D. Tex.) ("The request for \$4.5 million in fees representing 30% of the settlement fund is APPROVED as fair and reasonable"); *id.* (Doc. 233) at pp. 20, 23, 24, 25 (Plaintiff's Corrected Unopposed Motion for Approval of the Settlement on Behalf of FLSA Collective Action Members: "Here, the Settling Plaintiffs' counsel seek \$4.5 million for attorneys' fees (30% of the total settlement fund)[.] . . . A 'cross-check' of the *Johnson* factors further establishes the reasonableness of lead counsel's fee request. . . . Accordingly, the lodestar multiplier on the hours worked to date with respect to the Settling Plaintiffs' claims is 1.29. . . . Lead counsel's lodestar is based on reasonable hourly rates, consisting of the following ranges: \$475-\$550 for partners and of counsel; \$150-\$425 for associates and staff attorneys; and \$75 for professional support staff. These rates are consistent with those charged in other significant FLSA actions and in the Texas legal market in general."); *id.* at (Doc. 233-4) at p. 18, ¶ 37 (Declaration of Rhonda H. Wills: "The hours, attendant rates and lodestar for the Wills Law Firm, PLLC in this matter are as follows . . . ANTHONY C. WILLS (PARTNER) \$475[.] . . ."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.55% higher in 2021 versus 2014 (a \$83.35 difference).²⁶ So, adjusted *only* for such inflation from the year of this court ruling (2014) to the end of 2021—and without regard to the 1.29 multiplier—that \$475.00 hourly rate for Mr. Wills is \$558.35.

* **Stewart Hoffer (class of '94):** Mr. Hoffer works in Houston. His online biography notes that his practice includes, but is not limited to, "Representation of Executives in Employment Matters" and "Labor and Employment Litigation." On August 27, 2015, Mr. Hoffer's client sought an award of attorneys' fees at the rate of \$475.00 per hour for Mr. Hoffer's time in a Houston employment non-compete and commissions declaratory judgment case—for work such as "review and revise Motion for Summary Judgment." *See Goddard v. Total Safety U.S., Inc.*, No. 2015-04385 (11th Judicial District Court for Harris County, Texas) (Defendant Total Safety U.S. Inc.'s Motion for Determination Under *Epps v. Fowler* and Award of Attorney's Fees Under Declaratory Judgment Act at pp. 11-12 and Exhibit E: "Total Safety requests an award of reasonable and necessary attorney's fees in the amount of \$21,817.50, which is a mere fraction of the total fees it incurred to defend Goddard's claims." . . . "[Mr. Hoffer's law firm, Hick Thomas LLC] billed Mr. Hoffer's time to Total Safety at \$475 per hour (an hourly rate that was 20% lower than the hourly rates that Hick Thomas LLP bills Mr. Hoffer's time to other clients), . . ."). The Court denied the request for fees altogether. *See id.* (Order Denying Defendant's Motion for Fees Under the Declaratory Judgment Act dated September 22, 2015). According to the Consumer Price

²⁶ <https://www.officialdata.org/Legal-services/price-inflation/2014-to-2021?amount=475>

Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (a \$74.61 difference).²⁷ So, adjusted *only* for such inflation from the year of this discounted billing rate (2015) to the end of 2021, that \$475.00 hourly rate for Mr. Hoffer is \$549.61.

* **Carolyn A. Russell (class of '98):** Ms. Russell works in Houston. Her online biography notes that she “represents management in a variety of employment-related matters, including litigation involving age, disability, race and sex discrimination claims, covenants not to compete, trade secrets, wage and hour claims, ERISA claims, and other workplace torts.” On October 18, 2016, Ms. Russell sought an award of attorneys’ fees her client incurred for her work at a rate of \$480.00 per hour in a Houston state court wage case. *See Garrett v. Prologistix Corp. NW PLX*, No. 1076687 (Harris County Court at Law No. 2) (Request for Entry of Attorneys’ Fees at Exhibit A, Affidavit of Carolyn A. Russell (dated October 18, 2016) ¶ 2: “I represent the Defendant in the above-styled case. My hourly rate is \$480”). The court granted fees but in a lower overall amount than that requested. *See id.* (Judgment dated July 11, 2017). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 11.93% higher in 2021 versus 2016 (a \$57.26 difference).²⁸ So, adjusted *only* for such inflation from the year of this rate was billed (2016) to the end of 2021, that \$480.00 hourly rate for Ms. Russell is \$537.26.

* **Mark J. Oberti (class of '94):** Mr. Oberti works in Houston. His online biography states that he “is a highly effective employment attorney in Houston, winning numerous cases for executives, employers, and employees.” On June 1, 2017, the United States Court of Appeals for the Fifth Circuit reversed a judgment against Mr. Oberti’s client and instead, issued a judgment in Mr. Oberti’s client’s favor in a Houston ERISA case. *See Langley v. Howard Hughes Mgmt. Co., L.L.C.*, No. 16-20724 (5th Cir. June 1, 2017) (“It is ordered and adjudged that the judgment of the District Court is reversed, and judgment is rendered in favor of Langley in the amount of \$255,000, plus attorney’s fees of \$18,970.”). The amount of fees the Fifth Circuit awarded was based on Mr. Oberti’s testimony and calculation including his \$450.00 per hour rate billed to his client and as testified to in 2014. *See Langley v. Howard Hughes Mgmt. Co.*, No. 4:13-cv-03595 (Doc. 7) at p. 25 (S.D. Tex. Houston February 3, 2014) (Langley’s Motion for Summary Judgment: “In this case, Langley’s counsel’s reasonable fees are \$18,970.00”); *id.* (Doc. 7-9) at p. 3, ¶ 4 (Exhibit 9 Affidavit of Mark J. Oberti: “My rate on this case was \$400 per hour, until January 1, 2014, and then \$450 per hour after that.”)

²⁷ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=475>

²⁸ <https://www.officialdata.org/Legal-services/price-inflation/2016-to-2021?amount=480>

(attaching firm invoice). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.55% higher in 2021 versus 2014 (a \$78.97 difference).²⁹ So, adjusted *only* for such inflation from the year of this rate was billed (2014) to the end of 2021, that \$450.00 hourly rate for Ms. Oberti is \$528.97.

* **R. Russell Hollenbeck (class of '94):** Mr. Hollenbeck works in Houston. His online biography notes he is a civil appellate specialist. On March 25, 2020, **Judge Andrew S. Hanen** awarded a rate of \$500.00 per hour for his work in a Houston employment discrimination and retaliation case. *See Davis v. Fort Bend County*, No. 4:12-cv-00131 (Doc. 108) at p. 5 (S.D. Tex. Houston) (“Russ Hollenbeck: \$500 per hour[.] . . . The Court finds all of the hourly rates for the Wright Close & Barger professionals to be reasonable hourly rates among Houston law firms for a Title VII case.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020 (a \$7.67 difference).³⁰ So, adjusted *only* for such inflation from the year of this court ruling (2020) to the end of 2021, that \$500.00 hourly rate for Mr. Hollenbeck is \$507.67.

* **Douglas B. Welmaker (class of '93):** Mr. Welmaker works in Austin. His online biography states that he “has been practicing labor and employment law for 25 years” and “[i]n the last 10 years, he has limited his practice to representing employees who have been wrongfully denied overtime pay in violation of the Fair Labor Standards Act.” On May 11, 2020, **Judge Nelva Gonzales Ramos** ruled \$500.00 was a reasonable rate for Mr. Welmaker’s work in a Corpus Christi FLSA case. *See Carranza v. Cirlos*, No. 2:18-cv-419 (Doc. 36) at p. 36 (S.D. Tex. Corpus Christi) (“Plaintiffs request an hourly rate of \$500 per hour. The Court finds this is a reasonable rate. Mr. Welmaker has practiced for more than 25 years, and has focused almost exclusively on employment litigation during that time.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020 (a \$7.67 difference).³¹ So, adjusted *only* for such inflation from the year of this court ruling (2020) to the end of 2021, that \$500.00 hourly rate for Mr. Welmaker is \$507.67.

* **Jim Staley (class of '98):** Mr. Staley works in Houston. His online biography states that he “represents employers and management in all aspects of

²⁹ <https://www.officialdata.org/Legal-services/price-inflation/2014-to-2021?amount=450>

³⁰ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=500>

³¹ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=500>

employment law[.] . . .” On March 28, 2017, in a Houston Uniformed Services Employment and Reemployment Rights Act (USERRA) military employment leave case, Mr. Staley testified that his ordinary billing rate is \$465.00 per hour. *See Wright v. J.A.M. Distributing*, No. 4:16-cv-2663 (Doc. 32-1) at p. 2, ¶ 5 (S.D. Tex.) (Declaration of Jim Staley: “I am charging J.A.M. \$325 per hour in this case. \$325 per hour is a reasonable rate to charge for the legal services performed by myself and is actually a substantial discount from my ordinary billing rate of \$465.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017 (a \$37.57 difference).³² So, adjusted *only* for such inflation from the year of this testimony concerning his “ordinary billing rate” (2017) to the end of 2021, that \$465.00 hourly rate for Mr. Staley is \$502.57.

* **Salar Ali Ahmed (class of '98):** Mr. Ahmed works in Houston. His online biography notes his practice area is labor and employment law. On August 28, 2015, in a Beaumont Fair Credit Reporting Act (FCRA) case involving allegations about credit checks of employees, Mr. Ahmed sought fees and testified that his rate for legal services in the case was \$425.00 per hour—but that he typically charges between \$350.00 per hour and \$450.00 per hour. *See Landrum v. East Texas Medical Center Regional Healthcare System*, No. 4:14-cv-00848 (Doc. 44) at p. 9 (S.D. Tex. Beaumont) (Sworn Declaration of Salar Ali Ahmed in Support of Attorney’s Fees: “My rate for legal services in this case is \$425 per hour. This rate is within the range of my customary hourly fee. I typically charge between \$350 and \$450 per hour.”). On August 31, 2015, Judge Keith P. Ellison awarded a flat amount of all fees requested as part of a settlement. *See id.* (Doc. 45) (Order Granting Joint Motion for Final Approval of Proposed Settlement and Final Judgment). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (a \$70.68 difference).³³ So, adjusted *only* for such inflation from the year of this testimony (2015)—concerning the high-end of his typical rate of \$450.00 per hour—to the end of 2021, that \$450.00 hourly rate for Mr. Ahmed is \$520.68.

* **Charles A. Sturm (class of '97):** Mr. Sturm works in Houston. His online biography states that he “advises and represents employers, employees and executives in Houston and throughout Texas.” On October 24, 2017, **Judge Vanessa D. Gilmore** ruled that \$450.00 per hour was a reasonable hourly rate for Mr. Sturm’s work in a Houston FLSA case. *See Gurule v. Land Guardian, Inc.*, No. 4:15-cv-03487 (Doc. 73) at p. 11 (S.D. Tex. Houston) (“Based upon this

³² <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=465>

³³ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=450>

evidence, as well as the Court's own experience in the relevant community, case law and other authorities, the Court finds that \$450 per hour is a reasonable hourly rate for an attorney of Mr. Sturm's skill and 20 years of experience."), *affirmed* No. 17-207210 (5th Cir. Dec. 27, 2018). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017 (a \$36.36 difference).³⁴ So, adjusted *only* for such inflation from the year of this court ruling (2017) to the end of 2021, that \$450.00 hourly rate for Mr. Strum is \$486.36.

* **George R. Gibson (class of '95)**: Mr. Gibson works in Houston. His online biography notes that he focuses his practice on litigation. In 2012, Mr. Gibson billed for his work in a Houston employment discrimination case at the rate of \$375.00 per hour. *See Patterson v. Houston Indep. Sch. Dist.*, No 4:11-cv-01984 (Doc. 106-1) at p. 3 (S.D. Tex. Houston April 18, 2012) (Affidavit of Seth A. Miller, attaching invoices billed to client: "George R. Gibson's services cost \$350 per hour in 2011 and \$375 per hour in 2012"). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 23.37% higher in 2021 versus 2012 (a \$87.63 difference).³⁵ So, adjusted *only* for such inflation from the year of this testimony (2012) to the end of 2021, that \$375.00 hourly rate for Mr. Gibson is \$462.63.

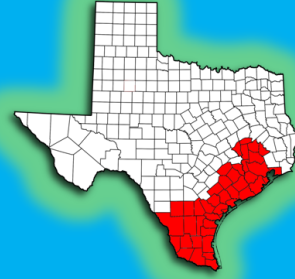
* **Trang Tran (class of '95)**: Mr. Tran works in Houston. His online biography notes his practice of law has a "focus on prosecuting claims for wrongful discharge, discrimination, non-compete, theft of trade secret and breach of contract" and that he has experience prosecuting wage and hour cases. On August 31, 2020, **Judge Vanessa D. Gilmore** ruled that \$450.00 per hour was a reasonable rate for work Mr. Tran did in a Houston FLSA case. *See Vinasco v. Swissport Cargo Services, LP*, No. 4:18-cv-01902 (Doc. 103) at pp. 5–6 (S.D. Tex. Houston) ("Accordingly, pursuant to the applicable law, the Court finds that the following fees, hours and expenses form a reasonable basis for an award of fees and costs for preparation and trial of this case . . . Trang Q. Tran . . . **Rate** . . . \$450.00"). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020 (a \$6.91 difference).³⁶ So, adjusted *only* for such inflation from the year of this ruling (2020) to the end of 2021, that \$450.00 hourly rate for Mr. Tran is \$456.91.

³⁴ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=450>

³⁵ <https://www.officialdata.org/Legal-services/price-inflation/2012-to-2021?amount=375>

³⁶ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=450>

Classes of the 2000s



30

lawyers listed

\$584.89

average rate

\$514.18

median rate



Classes of the 2000s: The Rates



\$1,182.88*

Peter J.
Mee
(JD 2009)



\$634.76*

J. Marshall
Horton
(JD 2003)



\$491.76*

Fran
Shuman
(JD 2005)



\$411.42*

Lakshmi
Ramakrishnan
(JD 2002)



\$1,097.02*

Edward
Holzwanger
(JD 2001)



\$615.84*

Zenobia
Harris Bivens
(JD 2008)



\$480.96*

Allan H.
Neighbors,
IV (JD 2001)



\$406.14*

Richard
Schreiber
(JD 2006)



\$1,050.89*

Brian Glenn
Patterson
(JD 2006)



\$600.32*

Katharine D.
David
(JD 2004)



\$472.02*

Eric J.
Cassidy
(JD 2001)



\$400.29*

Christopher
Willett
(JD 2009)



\$805.20*

Martina E.
Vandenberg
(JD 2000)



\$564.52*

Michael A.
Correll
(JD 2009)



\$466.36*

Daryl
Sinkule
(JD 2002)



\$365.03*

Sara C.
Longtain
(JD 2007)



\$791.97*

Jamila
Mensah
(JD 2006)



\$558.35*

Alfonso
Kennard, Jr.
(JD 2002)



\$456.91*

Clif
Alexander
(JD 2008)



\$363.77*

Scot
Clinton
(JD 2004)



\$740.55*

Matthew G.
Nielsen
(JD 2001)



\$546.60*

Lauren
C. Fabela
(JD 2008)



\$456.24*

Mike
Seely
(JD 2007)



\$330.18*

DeAndrea C.
Washington
(JD 2009)



\$702.52*

William J.
Moore
(JD 2005)



\$520.68*

Nickolas G.
Spiliotis
(JD 2001)



\$446.75*

Nehal S.
Anand
(JD 2009)



\$663.27*

Fazila
Issa
(JD 2004)



\$507.67*

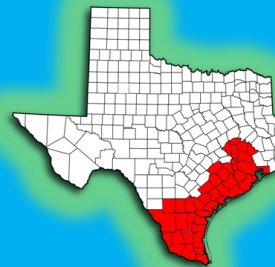
Austin
Anderson
(JD 2003)



\$415.69*

Aaron
Johnson
(JD 2008)

Classes of the 2000s: The Work



* **Peter J. Mee (class of '09)**: Mr. Mee works in Boston. His online biography states that he “practices transactional labor and employment law by assisting clients on national and international corporate transactions, negotiating and drafting complex employment agreements, onboarding executives, conducting reductions-in-force, and managing executive separations.” In 2020, his firm billed his time at a rate of \$1,165.00 per hour in a Houston bankruptcy case—for work such as “Review backstop services agreement.” *See In re: Hornbeck Offshore Servs., Inc.*, No. 20-32679 (Doc. 269) at pp. 54, 85, 99 (Bankr. S.D. Tex. Houston) (Summary Cover Sheet to the First and Final Fee Application of Kirkland & Ellis LLP and Kirkland & Ellis International LLP, Attorneys for the Debtors and Debtors in Possession, for the Period from May 19, 2020 through and including June 19, 2020). On August 11, 2020, **Judge David R. Jones** approved the request for fees. *See id.* (Doc. 282). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020 (a \$17.88 difference).¹ So, adjusted *only* for such inflation from the year of this billing and ruling (2020) to the end of 2021, that \$1,165.00 hourly rate for Mr. Mee is \$1,182.88.

* **Edward Holzwanger (class of '01)**: Mr. Holzwanger works in Washington D.C. His online biography states that he “concentrates on labor and employment counseling, with an emphasis on labor and employment matters arising in all types of corporate transactions.” In 2017, his firm billed his time at a rate of \$1,015.00 per hour in a Houston bankruptcy case—for work such as “Correspond with B. Winger re collective bargaining agreements,” “Review and analyze collective bargaining agreements,” “correspond with K&E team re benefit issues,” “Telephone conference with client and union re information request,” and “Correspond with K&E team re pension plan replacement (multiple).” *See In re: Genon Energy, Inc.*, No. 17-33695 (Doc. 1273) at pp. 2, 176, 179, 180, 421, 423, 431, 520, 544, 546, 753, 792 (Bankr. S.D. Tex. Houston) (First Interim Fee Application of Kirkland & Ellis LLP and Kirkland & Ellis International LLP, Attorneys for the Debtors and Debtors in Possession, for the Period from June 14, 2017 through and including September 30, 2017). On January 12, 2018, **Judge David**

¹ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=1165>

R. Jones approved the request for fees. *See id.* (Doc. 1317). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017 (an \$82.02 difference).² So, adjusted *only* for such inflation from the year of this billing (2017) to the end of 2021, that \$1,015.00 hourly rate for Mr. Holzwanger is \$1,097.02.

* **Brian Glenn Patterson (class of '06)**: Mr. Patterson works in Houston. His online biography states that he “[r]epresents employers in all types of employment-related matters, including litigation.” His firm billed his time in a Houston bankruptcy case—for work in 2019 such as “Review FLSA suit docket,” “Review of pleadings in pending labor suit,” “Attend to issues re: pending FLSA matters,” “Analyze disclosure issues in connection with FLSA matters,” “Revise discovery responses,” “Review status of pending FLSA matter,” “Review and revise draft workforce HSE manual,” “Revise master services agreement provisions re EPLI coverage,” and “Draft correspondence to Debtors re HSE manual, contractor training, and employment policy issues.” *See In re: Sanchez Energy Corp.*, No. 19-34508 (Doc. 1426) at Exhibit B, pp. 83, 200, 289 and Exhibit B-2, p. 62 (Bankr. S.D. Tex. Houston) (Second Interim and Final Fee Application of Akin Gump Strauss Hauer & Feld LLP for Allowance and Payment of Fees and Expenses as Counsel to the Debtors for the Period from December 1, 2019 through March 27, 2020). His hourly rate listed for 2020 is \$1,035.00—and his hourly rate listed for 2019 is \$945.00. *See id.* at Exhibit B-2, p. 62. On July 8, 2020, **Judge Marvin Isgur** approved the request for fees. *See id.* (Doc. 1521). On February 24, 2016, Mr. Patterson submitted his affidavit in a Houston employment discrimination case in which his client sought sanctions. *See Bautista-Avellaneda v. Madison Resource Funding Corp.*, No. 2014-64411 (151st Judicial District Court for Harris County, Texas) (Affidavit of Brian Patterson attached as Exhibit 12 to Defendants’ Second Motion to Dismiss with Prejudice and for Monetary Sanctions). Attached to Mr. Patterson’s affidavit is his law firm invoice dated April 15, 2015, which states that his hourly rate at that time for work actually billed in that case was \$675.00 per hour. *See id.* at p. 5 (for “review of docket control order”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020 (a \$15.89 difference).³ So, adjusted *only* for such inflation from the year of this most-recently stated rate—the one for 2020—to the end of 2021, that \$1,035.00 hourly rate for Mr. Patterson is \$1,050.89.

² <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=1015>

³ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=1035>

* **Martina E. Vandenberg (class of '00)**: Ms. Vandenberg works in Washington D.C. Her online biography notes that she works with the Human Trafficking Legal Center. Though Ms. Vandenberg is based in Washington, D.C., On November 30, 2017, Judge Keith P. Ellison determined Ms. Vandenberg's requested rate of \$745.00 per hour was "fair and reasonable" for work she did in a Houston human trafficking [i.e., forced labor] case. *Adhikari v. Daoud & Partners*, No. 4:09-CV-1237 (Doc. 764) at pp. 28–29 (S.D. Tex. Houston) ("The requested rates, in descending order, are as follows: . . . \$745 for Fryszman and Vandenberg; . . . The requested rates are fair and reasonable here too."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017 (a \$60.20 difference).⁴ So, adjusted *only* for such inflation from the year of Judge Ellison's determination to the end of 2021, that \$745.00 hourly rate for Ms. Vandenberg is \$805.20.

* **Jamila Mensah (class of '06)**: Ms. Mensah works in Houston. Her online biography states that "[h]er practice covers all areas of employment law, including extensive experience in discrimination, retaliation and wage and hour issues." In 2020, Ms. Mensah's law firm billed her time for work at the rate of \$780.00 per hour in a Houston defamation/tortious interference case by a former employee against a former employer. *See Nath v. Baylor College of Medicine*, No. 2019-85080 (269th Judicial District Court for Harris County, Texas) (Declaration of Shauna J. Clark attached as Exhibit A to Defendant Baylor College of Medicine's Application for Attorneys' Fees, filed on June 30, 2020 at Tab 2, p. 4) ("Mensah, J . . . Rate . . . 780.00). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020 (an \$11.97 difference).⁵ So, adjusted *only* for such inflation from the year of this billing to the end of 2021, that \$780.00 hourly rate for Ms. Mensah is \$791.97.

* **Matthew G. Nielsen (class of '01)**: Mr. Nielsen works in Dallas. His online biography states that he "represents companies, boards, executives, and securities firms and professionals in internal and government investigations and litigation involving civil and criminal misconduct." On October 24, 2016, Judge Lynn Hughes awarded Mr. Nielsen's firm for work Mr. Nielsen did in a Houston ERISA severance benefits case. *See Langley v. Howard Hughes Mgmt. Co., Inc.*, Civil Action No. H-13-3595 (Docs. 27 & 28) (S.D. Tex. Houston) (granting fees requested in motion (Doc. 22)). Mr. John McDowell's affidavit in that matter, with bills attached, show Mr. Nielsen was billing his client at the rate of \$630.00

⁴ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=745>

⁵ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=780>

per hour in the year 2014 for work in that case. *See id.* (Doc. 22-1) at p. 33 (bill showing time billed on February 28, 2014, invoice was \$14,679.00 for 23.30 hours which equals a per-hour rate of \$630.00, for work such as “Attention to finalizing answer and filing same” and “Attention to scheduling initial conference with court”). *See id.* at pp. 30–31. The award of fees itself was reversed on other grounds in *Langley v. Howard Hughes Mgmt. Co., L.L.C.*, No. 16-20724 (5th Cir. June 1, 2017). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.55% higher in 2021 versus 2014 (a \$110.55 difference).⁶ So, adjusted *only* for such inflation from the year of this billing (2014) to the end of 2021, that \$630.00 hourly rate for Mr. Nielsen is \$740.55.

* **William J. Moore (class of '05)**: Mr. Moore works in Dallas and his online biography states that he is a trial lawyer. On February 2, 2017, Judge Elaine Palmer awarded fees for work Mr. Moore did in a Houston employment discrimination case—traveling to Houston over a discovery dispute. *See Hunter v. TPC Group, LLC*, 2016-16617 (215th Judicial District Court for Harris County, Texas) (Order signed February 2, 2017: “ORDERED AND ADJUDGED that Plaintiff pay the attorneys’ fees and expenses incurred in connection with responding to this Motion to Compel in the amount of \$5,356.88”). In its January 31, 2017, request for fees, Mr. Moore’s firm noted that his billing rate is \$650.00 per hour. *See id.* (Defendants’ Supplement to their Response to Plaintiff’s Motion to Compel and for In Camera Inspection at p. 4, n. 4: “Defendants’ counsel, William Moore’s (partner) billing rate is \$650 per hour.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017 (a \$52.52 difference).⁷ So, adjusted *only* for such inflation from the year of this billing (2017) to the end of 2021, that \$650.00 hourly rate for Mr. Moore is \$702.52.

* **Fazila Issa (class of '04)**: Ms. Issa works in Houston. Her online biography states that she “represents and counsels corporate management in a variety of industry sectors in all aspects of labor and employment law, including representation before administrative agencies and litigation in state and federal courts.” On June 26, 2019, in a Houston employment discrimination case and ERISA benefits case, Judge Kenneth M. Hoyt determined the fees Ms. Issa’s firm sought for her work on the ERISA claims were reasonable. *See Gonzales v. ConocoPhillips Co.*, No. 4:17-cv-2374 (Doc. 108) (S.D. Tex. Houston) (ruling fee requested in Doc. 94 reasonable: “The Court is of the opinion that the fees and costs sought are reasonable.”). Those fees actually billed to a client included Ms. Issa’s

⁶ <https://www.officialdata.org/Legal-services/price-inflation/2014-to-2021?amount=630>

⁷ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=650>

rate of \$640.00 per hour on an invoice dated September 27, 2018, for work such as “Review and finalize defendant’s expert designation,” “Review and finalize defendant’s supplemental document production,” and “Review and analyze plaintiff’s second request for production and email communications with K. Jones and L. Knox.” *See id.* (Doc. 94-3) at pp. 27–29. According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 3.64% higher in 2021 versus 2018 (a \$23.27 difference).⁸ So, adjusted *only* for such inflation from the year of this billing (2018) to the end of 2021, that \$640.00 hourly rate for Ms. Issa is \$663.27.

* **J. Marshall Horton (class of ’03):** Mr. Horton works in Houston. His online biography states that he “focuses his practice on representing employers” On October 24, 2016, Judge Lynn Hughes awarded Mr. Horton’s firm for work Mr. Horton did in a Houston ERISA severance benefits case. *See Langley v. Howard Hughes Mgmt. Co.*, Civil Action No. H-13-3595 (Docs. 27 & 28) (S.D. Tex. Houston) (granting fees requested in motion (Doc. 22)). Mr. John McDowell’s affidavit in that matter, with bills attached, show Mr. Horton was billing his client at the rate of \$540.00 per hour in the year 2014 for work in that case. *See id.* (Doc. 22-1) at p. 33 (bill showing time billed on February 28, 2014, invoice was \$40,176.00 for 74.40 hours which equals a per-hour rate of \$540.00, for work such as conducting research and drafting documents). *See id.* at pp. 29–33. The award of fees itself was reversed on other grounds in *Langley v. Howard Hughes Mgmt. Co.*, Civil Action No. 16-20724 (5th Cir. June 1, 2017). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.55% higher in 2021 versus 2014—a \$94.76 difference from the year of that billing.⁹ So, adjusted *only* for such inflation from the year of that billing (2014) to the end of 2021, that \$540.00 hourly rate for Mr. Horton is \$634.76.

* **Zenobia Harris Bivens (class of ’08):** Ms. Bivens worked in Houston. Her online biography noted that she focused her practice on business litigation. On September 13, 2019, Judge Nancy F. Atlas awarded Ms. Bivens a requested rate of \$600.00 per hour for Ms. Bivens’s work in a Houston False Claims Act employment retaliation case. *See Miniex v. Houston Housing Auth.*, No. 4:17-cv-00624 (Doc. 277) at p. 8 (S.D. Tex. Houston) (“The Court concludes Bivens’s (\$600), Mery’s (\$450), Hurta’s (\$325), and Thornton’s (\$375) requested rates are reasonable for this case.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for

⁸ <https://www.officialdata.org/Legal-services/price-inflation/2018-to-2021?amount=640>

⁹ <https://www.officialdata.org/Legal-services/price-inflation/2014-to-2021?amount=540>

legal services are 2.64% higher in 2021 versus 2019 (a \$15.84 difference).¹⁰ So, adjusted *only* for such inflation from the year of this court ruling (2019) to the end of 2021, that \$600.00 hourly rate for Ms. Bivens's work in 2019 would be \$615.84.

* **Katharine D. David (class of '04):** Ms. David works in Houston as a public law attorney. On November 20, 2013, Judge Lynn N. Hughes awarded fees for time Ms. David worked on a First Amendment/constitutional free speech firing and employment retaliation case. See *Culbertson v. Lykos*, No. 4:12-cv-03644 (Doc. 69) (S.D. Tex. Houston) (granting fees requested in Doc. 45: "Rachel Palmer takes, jointly and severally, \$82,101.00 in reasonable attorney's fees from Amanda Culbertson and Jorge Wong"), *reversed on other grounds* 790 F.3d 608 (5th Cir. 2015). The fee request included Ms. David's September 12, 2013, affidavit, which noted the fees actually incurred by her client in the lawsuit included her work at her hourly rate of \$500.00. See *id.* (Doc. 45-1) at p. 2-3, ¶¶ 5 & 8 (Declaration of Katherine D. David attached as Exhibit A to Rachel Palmer's Motion for an Award of Court Costs, Reasonable Attorney's Fees and Other Expenses: "Based on the hourly rates and total number of hours billed, Gardere has charges of \$82,101.00 for the legal services and expenses it has rendered to defend Rachel Palmer since May 1, 2013. . . . The current hourly rates of the aforementioned attorneys are as follows: . . . Kate David - \$500."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 20.06% higher in 2021 versus 2013 (a \$100.32 difference).¹¹ So, adjusted *only* for such inflation from the year of Judge Hughes's ruling to the end of 2021, that \$500.00 hourly rate for Ms. David is \$600.32.

* **Michael A. Correll (class of '09):** Mr. Correll works in Dallas. His online biography states that he "represents employers involved in a variety of employment litigation matters, including defending employers against claims of discrimination, harassment, retaliation, and wrongful discharge." His law firm billed \$550.00 per hour for his work in 2019 on a Houston employment commissions case. See *Trippie v. Workplace Solutions Inc.*, No. 201984986 (281st Judicial District Court for Harris County, Texas) (Defendant's Trial Exhibit 17, Bates Stamp No. WPS000948, for trial held April 1, 2021, Invoice 1/23/20 for work in 2019: "Michael A. Correll . . . Rate . . . 550.00 / hr"). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 2.64% higher in 2021 versus 2019 (a \$14.52

¹⁰ <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=600>

¹¹ <https://www.officialdata.org/Legal-services/price-inflation/2013-to-2021?amount=500>

difference).¹² So, adjusted *only* for such inflation from the year of this billing to the end of 2021, that \$550.00 hourly rate for Mr. Correll is \$564.52.

* **Alfonso Kennard, Jr. (class of '02)**: Mr. Kennard works in Houston. His online biography states that his area of practice is “100% Labor and Employment.” On August 1, 2014, **Magistrate Judge Nancy K. Johnson** awarded Mr. Kennard discovery sanctions for his work in a Houston FLSA case and, in doing so, approved of his requested hourly rate of \$475.00. *See Magdaleno v. PCM Constr. Servs., LLC*, No. 4:12-cv-02862 (Doc. 109) at pp. 9–10 (S.D. Tex. Houston) (“Kennard stated that his billing rate is \$475 per hour, . . . In the absence of evidence challenging these hourly rates, the court assumes that the requested rates are reasonable.”). On September 12, 2014, **Judge Sim Lake** ordered defendants pay these sanctions. *See id.* (Doc. 116). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.44% higher in 2021 versus 2014 (an \$83.35 difference).¹³ So, adjusted *only* for such inflation from the year of these court rulings to the end of 2021, that \$475.00 hourly rate for Mr. Kennard is \$558.35.

* **Lauren Chapman Fabela (class of '08)**: Ms. Chapman works in Houston. Her online biography notes that she “practices primarily in the area of business litigation.” On October 24, 2016, **Judge Lynn Hughes** awarded Ms. Chapman’s firm for work Ms. Chapman did in a Houston ERISA severance benefits case. *See Langley v. Howard Hughes Mgmt. Co., Inc.*, Civil Action No. H-13-3595 (Docs. 27 & 28) (S.D. Tex. Houston) (granting fees requested in motion (Doc. 22)). Mr. John McDowell’s affidavit in that matter, with bills attached, show Ms. Chapman’s firm was billing its client at the rate of \$465.00 per hour in the year 2014 for work in that case. *See id.* (Doc. 22-1) at pp. 26–27 (time billed on January 31, 2014, invoice was \$1,069.50 for 2.30 hours which equals a per-hour rate of \$465.00, for work such as “Analyze . . . organize and review proposed administrative record”). *See id.* at p. 26. The award of fees itself was reversed on other grounds in *Langley v. Howard Hughes Mgmt. Co., L.L.C.*, No. 16-20724 (5th Cir. June 1, 2017). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 17.55% higher in 2021 versus 2014 (an \$81.60 difference).¹⁴ So, adjusted *only* for such inflation from the year of this billing (2014) to the end of 2021, that \$465.00 hourly rate for Ms. Fabela is \$546.60.

¹² <https://www.officialdata.org/Legal-services/price-inflation/2019-to-2021?amount=550>

¹³ <https://www.officialdata.org/Legal-services/price-inflation/2014-to-2021?amount=475>

¹⁴ <https://www.officialdata.org/Legal-services/price-inflation/2014-to-2021?amount=465>

* **Nickolas G. Spiliotis (class of '01)**: Mr. Spiliotis works in Houston. His online biography states he is a partner in his law firm's "labor, employment and workplace safety practice group." On August 5, 2015, in a Corpus Christi employment discrimination and retaliation case, his law firm noted that his standard rate per hour was \$450.00—though there was a lower negotiated effective rate per hour in that case. *See Arredondo v. Weatherford Int'l, LLC*, No. 2:14-cv-00170 (Doc. 89) at p. 1 (S.D. Tex. Corpus Christi) (Summary of Attorney Fees and Expenses: "Nickolas Spiliotis . . . STANDARD RATE PER HOUR . . . 450"). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (a \$70.68 difference).¹⁵ So, adjusted *only* for such inflation from the year of this stated rate (2015) to the end of 2021, that \$450.00 hourly rate for Mr. Spiliotis is \$520.68.

* **Austin Anderson (class of '03)**: Mr. Anderson works in Corpus Christi. His online biography states that he "focuses the majority of his time on large scale wage and hour litigation under the Fair Labor Standards Act." On January 27, 2020, **Judge Nelva Gonzales Ramos** found Mr. Anderson's hourly rate of \$500.00 per hour was reasonable for his work in a Corpus Christi FLSA case. *See Vela v. M&G USA Corp.*, No. 2:17-cv-13 (Doc. 66) at p. 7–8 (S.D. Tex. Corpus Christi) ("Plaintiff's request for attorneys' fees is based on the work of . . . Cliff Alexander (37 hours at \$450 per hour); Austin Anderson (29 hours at \$500 per hour); Lauren Braddy (18 hours at \$400 per hour); . . . Plaintiff requests hourly rates ranging from \$400 to \$500 for the three attorneys working on this case. The Court finds these are reasonable rates."). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020 (a \$7.67 difference).¹⁶ So, adjusted *only* for such inflation from the year of this ruling (2020) to the end of 2021, that \$500.00 hourly rate for Mr. Anderson is \$507.67.

* **Fran Shuman (class of '05)**: Ms. Shuman, formerly Fran Robin-Kantor Aden, works in Houston. Her online biography notes her practice areas included labor and employment law. On August 27, 2015, Ms. Shuman's client sought an award of attorneys' fees at the rate of \$425.00 per hour for Ms. Shuman's time in a Houston employment non-compete and commissions declaratory judgment case—for work such "Review and analyze employment agreements and demand letters to prepare strategy for summary judgment motion" and "Review and analyze clients documents to obtain factual support for summary judgment motion that plaintiffs were fired for cause." *See Goddard v. Total Safety U.S., Inc.*,

¹⁵ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=450>

¹⁶ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=500>

No. 2015-04385 (11th Judicial District Court for Harris County, Texas) (Defendant Total Safety U.S. Inc.'s Motion for Determination Under *Epps v. Fowler* and Award of Attorney's Fees Under Declaratory Judgment Act at pp. 11-12 and Exhibit E: "Total Safety requests an award of reasonable and necessary attorney's fees in the amount of \$21,817.50, which is a mere fraction of the total fees it incurred to defend Goddard's claims." . . . "[Ms. Shuman's law firm, Hick Thomas LLC] billed Ms. Aden's time at \$425.00 per hour."). The Court denied the request for fees altogether. *See id.* (Order Denying Defendant's Motion for Fees Under the Declaratory Judgment Act dated September 22, 2015). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 15.71% higher in 2021 versus 2015 (a \$66.76 difference).¹⁷ So, adjusted *only* for such inflation from the year of this billing rate (2015) to the end of 2021, that \$425.00 hourly rate for Ms. Shuman is \$491.76.

* **Allan H. Neighbors, IV (class of '01):** Mr. Neighbors works in Houston. His online biography states that he "spends the majority of his time advising, counseling, and training employers on strategies and practices to protect confidential information and trade secrets, guard against unfair competition, and manage litigation risks." In 2017, he billed his time at the rate of \$445.00 per hour for his work in a Houston misappropriation of trade secrets case against former employees of a company. *See Quantlab Technologies Ltd. v. Godlevsky*, No. 4:09-cv-04039 (Doc. 884) at pp. 6–7, ¶ 19 (S.D. Tex. Houston) (Affidavit of Tim McInturf: "In fact, SKV and Littler have charged less to handle this matter than they often charge clients for similar matters . . . Littler's rates for its principal timekeepers increased incrementally by year as follows . . . Allan Neighbors . . . 2017 . . . \$445"). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 8.08% higher in 2021 versus 2017—an \$35.96 difference from the year of that billed \$445.00 hourly rate.¹⁸ So, adjusted *only* for such inflation from the year that rate was billed (2017) to the end of 2021, that \$445.00 hourly rate for Mr. Neighbors is \$480.96.

* **Eric J. Cassidy (class of '01):** Mr. Cassidy works in Houston as a litigator. During 2011, he billed at a rate of \$375.00 per hour in a Houston employment agreement case. *See Renewable Energy Group, Inc. v. Dascal*, No. 2011-51111 (190th Judicial District Court for Harris County, Texas) (Affidavit of Eric J. Cassidy at ¶ 8 and attached bills marked Defendant's Trial Exhibit 83 filed on December 23, 2011: "Sabine and Endicott agreed to compensate this firm based on an hourly fee rate. My hourly rate is \$375.00 per hour."). According to the

¹⁷ <https://www.officialdata.org/Legal-services/price-inflation/2015-to-2021?amount=425>

¹⁸ <https://www.officialdata.org/Legal-services/price-inflation/2017-to-2021?amount=445>

Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 25.87% higher in 2021 versus 2011 (a \$97.02 difference).¹⁹ So, adjusted *only* for such inflation from the year of this billing (2011) to the end of 2021, that \$375.00 hourly rate for Mr. Cassidy is \$472.02.

* **Daryl J. Sinkule (class of '02):** Mr. Sinkule currently works in Dallas but previously worked in Houston. His online biography states: “I focus my law practice on employment law civil litigation in state and federal courts and in administrative proceedings.” On November 21, 2018, **Magistrate Judge Christina A. Bryan** determined \$450.00 was a reasonable hourly rate for Mr. Sinkule’s work in a Houston FLSA case. *See Novick v. Shipcom Wireless, Inc.*, No. 4:16-cv-00730 (Doc. 100) at p. 6 (S.D. Tex. Houston) (“Based on the above, the court concludes that \$450 is a reasonable hourly rate for the serviced provided by Daryl Sinkule[.] . . .”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 3.64% higher in 2021 versus 2018 (a \$16.36 difference).²⁰ So, adjusted *only* for such inflation from the year of this ruling (2018) to the end of 2021, that \$450.00 hourly rate for Mr. Sinkule is \$466.36.

* **Clif Alexander (class of '08):** Mr. Alexander works in Corpus Christi. His online biography states that his “practice focuses on pursuing wage and hour violations on behalf of employees across the United States in individual and large scale collective/class actions under the Fair Labor Standards Act.” On January 27, 2020, **Judge Nelva Gonzales Ramos** found Mr. Alexander’s hourly rate of \$450.00 per hour was reasonable for his work in a Corpus Christi FLSA case. *See Vela v. M&G USA Corp.*, No. 2:17-cv-13 (Doc. 66) at p. 7–8 (S.D. Tex. Corpus Christi) (“Plaintiff’s request for attorneys’ fees is based on the work of . . . Clif Alexander (37 hours at \$450 per hour); Austin Anderson (29 hours at \$500 per hour); Lauren Braddy (18 hours at \$400 per hour); . . . Plaintiff requests hourly rates ranging from \$400 to \$500 for the three attorneys working on this case. The Court finds these are reasonable rates.”). According to the Consumer Price Index for legal services as generated by the U.S. Bureau of Labor Statistics, the prices for legal services are 1.53% higher in 2021 versus 2020 (a \$6.91 difference).²¹ So, adjusted *only* for such inflation from the year of this ruling (2020) to the end of 2021, that \$450.00 hourly rate for Mr. Alexander is \$456.91.

¹⁹ <https://www.officialdata.org/Legal-services/price-inflation/2011-to-2021?amount=375>

²⁰ <https://www.officialdata.org/Legal-services/price-inflation/2018-to-2021?amount=450>

²¹ <https://www.officialdata.org/Legal-services/price-inflation/2020-to-2021?amount=450>